

THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, 20th July 1953.

The House met in the Assembly Chamber, Government Estate, Mount Road, at half-past eight of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Accommodation in Kurnool for locating the Andhra Capital.

* 712-A Q.—SRI N. V. RAMA RAO: Will the Hon. the Chief Minister be pleased to state:—

(a) whether any officers of the Government and Hon. Ministers have been deputed to go to Kurnool to report about the present accommodation available at Kurnool for locating the temporary Capital of the Andhra State;

(b) if so, who they are, and what their principal observations and recommendations are; and

(c) whether the Government will be pleased to place their detailed reports on the table?

THE HON. SRI C. RAJAGOPALACHARI:—“There is another short notice question on the same subject put by Sri Pragada Kotaiah and I will answer both the questions together.”

* 712-B Q.—SRI PRAGADA KOTAIAH: Will the Hon. the Chief Minister be pleased to place on the table of the House the report submitted by Sri J. M. Lobo Prabhu, Secretary to Government, Development Department, about the facilities and accommodation available in Kurnool for the location of the temporary Capital of the Andhra State there and state the steps taken so far to secure accommodation for the location of the Andhra Capital?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) to (c) This Government deputed Sri Lobo Prabhu, I.C.S., to visit Kurnool district and collect, for the information of the Government of India, the relevant factual data and to indicate what arrangements are likely to be necessary in connexion with the location of the temporary Capital of the Andhra State at Kurnool. The report submitted by this officer and the note thereon of the Committee of Secretaries have been forwarded to the Government of India. This Government is not in a position to place such intermediate papers on the table of the House here.

The Government of India have sanctioned a loan of Rs. 40 lakhs for the expenditure likely to be incurred till the 1st October 1953, in connexion with the arrangements to be

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made for the location of the temporary Andhra Capital at Kurnool. It has, however, been decided on the suggestion of this Government that the manner in which this amount should be utilized and the precise arrangements to be made should be settled by a high-level Special Officer who will be appointed by the Government of India shortly and who is expected to join duty very soon.

As regards the report of Sri Lobo Prabhu, while it would not be proper to place such papers before the House, I am prepared to give all the necessary information to the hon. Member who put me the question. Although technically it is improper to place the report itself on the table of the House, I have given the contents of the report in a paper of my own, so to say, a note of my own which hon. Members may have if they like."

SRI C. V. K. RAO :—" Sir, after all an informal opinion has been expressed for Kurnool being the temporary Capital. Why is it that the Government are so anxious to spend public money to the extent of Rs. 40 lakhs on tours and other arrangements for establishing this temporary Capital, till Legislative sanction is made for the fixation of the temporary Capital? "

THE HON. SRI C. RAJAGOPALACHARI :—" I take it, Sir, the question is put to this Government and I say that we have done it at the instance of the Government of India. But I may add on my own account that if I did not do that, a different set of objections would be raised."

SRI T. VISWANATHAM :—" May I ask the Hon. Chief Minister to place his note on the table of the House or circulate it? "

THE HON. SRI C. RAJAGOPALACHARI :—" I will give a copy to the gentleman who put the question to me and one copy to the hon. Member, Sri Viswanatham just now."

8-40 a.m. SRI V. BALAKRISHNAN :—" Is there any basis for the rumour going about that the headquarters of the Governor of Andhra State is to be located in the Non-Andhra area in Madras City? "

THE HON. SRI C. RAJAGOPALACHARI :—" It is only a Special Officer that is now coming and he is not yet a Governor. Secondly, he comes here more to look into the matter and equip himself with information and it would be better that he is near the Secretariat. So, the Governor and I are making arrangements for him in a very peculiar situation. It is no question of Governor or Capital."

SRI N. V. RAMA RAO :—" Is it true that the Special Officer deputed by this Government reported that Kurnool town is inaccessible, unhealthy, subject to inundation, has limited scope for expansion and has inadequate accommodation for Government staff? "

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THE HON. SRI C. RAJAGOPALACHARI :—“ I presume, Sir, the question is about the merits of the temporary Capital and it will no doubt come up in the course of the discussion.”

SRI PILLALAMARRI VENKATESWARLU :—“ The Hon. Chief Minister has supplied copies of his note to the hon. Member who put the question and to the hon. Member Sri T. Viswanatham. May I request him to place a copy of it on the table of the House for the information of all the Members? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I do not think it is worthwhile printing it. As I said, it is not proper to place the report itself on the table of the House. I have given my own note and if I am not asked to print 500 copies and supply them, here is a copy which any Member may read.”

(The Hon. Chief Minister then handed over a note to the hon. Member Sri P. Venkateswarlu.)

SRI K. RAJAGOPALA RAO :—“ May I know, Sir, what the remarks of this Government are on the report of Sri Iobo Prabhu? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ As I have already said, the Committee of Secretaries who are dealing with such matters have put their own suggestions into it and that report together with the report of the Partition Committee has gone to the Government of India. The Government of Madras as such have no remarks to make.”

X-ray plant in King George Hospital, Visakhapatnam.

* 713 Q.—SRI M. VEERABHADRAM : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the Deep X-ray plant in King George Hospital, Visakhapatnam, has been out of use for the last more than a year; and

(b) if so, the reasons therefor?

THE HON. SRI A. B. SHETTY :—“ (a) & (b) The Deep X-ray plant of the Hospital has gone out of order from 17th June 1952 as the tube was damaged due to wear and tear.”

SRI M. VEERABHADRAM :—“ What have the Government done to make the X-ray plant useful? ”

THE HON. SRI A. B. SHETTY :—“ It is proposed to get a different sort of tube and also some other parts. Indents for these parts have been placed and supply is awaited.”

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Employment to handloom workers in Malabar.

* 714 Q.—SRI P. KUNHIRAMA KIDAV : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether Government have statistics of the number of unemployed handloom workers in Malabar; and

(b) what all steps the Government have taken to protect the handloom industry and to give employment to handloom workers?

THE HON. DR. U. KRISHNA RAO :—“(a) No, Sir.

“(b) The Government have undertaken a relief scheme which provides relief to the distressed handloom weavers in the State who have been thrown out of employment due to the slump in handloom cloth trade. The scheme will assure the weavers of a subsistence wage and continuous employment and also relieve them from the burden of marketing cloth.

At the instance of this Government, the Central Government have reserved certain fields of production for the handloom industry including coloured sarees and a percentage of bordered dhoties. This Government have also urged the Union Government to reserve the entire production of bordered dhoties for the handloom industry only.

Arrangements have also been made to supply yarn at ex-mill rates for all handloom factories in Malabar district that are eligible to get not less than two bales per month and from State Nominees direct for other factories.

The Government have created a High Power Handloom Committee to explore and suggest measures for the rehabilitation of the handloom industry and for affording adequate relief to the workers.

The Government of India have allotted a sum of Rs. 1.25 crores to this State from the Cess Fund for being utilized on schemes for the development of handloom industry. The schemes are now under the active consideration of the two Governments.

The Central Government have decided to constitute a handloom Directorate with Agencies for Internal and External Marketing.

The Government of India have since approved a scheme, prepared by the Registrar of Co-operative Societies, Madras, for the appointment of Commercial Travellers in foreign countries and for opening of Emporia of handloom goods in foreign countries for the marketing of handloom products produced all over India.”

SRI P. KUNHIRAMA KIDAV :—“In view of the fact that the reservation of sarees and dhoties to handloom weavers will

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not help to relieve the miserable condition of handloom weavers of Malabar, will the Government consider the handloom weavers of Malabar on a separate footing? "

THE HON. DR. U. KRISHNA RAO :—" The reservation has to a certain extent relieved their difficulties. About the problem of Malabar being treated separately, we would like to hear from the hon. Member what he would like us to do."

SRI S. NARAYANAPPA :—" Due to the extension of the relief scheme in the Madras State, are the Government providing adequate employment to all the weaving families in the State? "

THE HON. DR. U. KRISHNA RAO :—" I do not say we are providing employment to all the families. But we are certainly providing employment to more families than before."

SRI C. H. KANARAN :—" In view of the fact that the Members of this House have expressed that the problem of handloom weavers in Malabar is different from that in other parts of the State and even though the Government have been requested to go into the matter in detail, they have not done so, will the Government now enquire into the matter in detail and submit a report to this House? "

THE HON. DR. U. KRISHNA RAO :—" The Government have made enquiries and the Collector of Malabar informs us that there are factories which are quite different from other factories in other parts of the State. The Collector has been able to make the factory-owners and the handloom workers agree to a suitable and satisfactory arrangement whereby the workers in the factories are paid a decent sum of money."

SRI K. P. GOPALAN :—" Sir, reservation of coloured sarees and dhoties will not help the handloom weavers in Malabar. Even the Ryan scheme did not give any help to them because it was impracticable. May I know, Sir, whether the Hon. Minister will accept the main slogan of working classes that they should be given unemployment allowance till they get employment? "

THE HON. DR. U. KRISHNA RAO :—" Perhaps the hon. Member is right in saying that the reservation of coloured sarees and bordered dhoties cannot affect Malabar considerably. But there is no doubt that the Ryan Scheme in a modified manner accepted by both the factory-owners and labourers, and the Government has worked satisfactorily in Malabar. With regard to the question of giving unemployment allowance, the hon. Member may put a separate question as it involves a policy of the Government."

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SRI M. KALYANASUNDARAM :—“ The Hon. Minister in his reply referred to the appointment of a High Power Committee. May I know if this High Power Committee is different from the one previously appointed and if it has higher powers? ”

THE HON. DR. U. KRISHNA RAO :—“ It is the same High Power Committee that has been working for over a year.”

SRI PRAGADA KOTAIAH :—“ In view of the fact that the conditions of the handloom weavers are deteriorating from day to day, will the Government consider the desirability of imposing a ban on the import of mill-made sarees and dhoties into the State or a terminal tax on mill-made sarees and dhoties imported into the State, to give effective protection to the handloom industry? ”

THE HON. DR. U. KRISHNA RAO :—“ The hon. Member will surely agree with me that his suggestion will raise inter-State complications and it may not be desirable to think of it at this particular stage.”

8-50
[a.m.] **SRI M. KALYANASUNDARAM :—**“ May I know the number of co-operative societies organized under the Ryan scheme? ”

THE HON. DR. U. KRISHNA RAO :—“ I wish the hon. Member puts a separate question.”

SRI B. SANKARAYYA :—“ ఇదివరకు వీరలు, రోవతులు చేనేత వారికా మికులకు ప్రత్యేకించాలని నెంట్రల్ గవర్నమెంటు తీర్మానించి, దాన్ని యిక్కడ ఎవెంట్లో సభ్యులు వెంటనే ఆమోదించిన సంవర్షములో మద్రాసు గవర్నమెంటుకు కొన్ని సూచనలు చేశారు. ఆ సూచనలలో యిప్పుడు చేనేత వారికా మికులవద్ద ఉన్నటువంటి గుడ్డలలో ప్రభుత్వానికి వాడకానికి కావలసిన గుడ్డకాక, మిగతా గుడ్డను చేనేతవారికి subsidy యిచ్చి అమ్మించాలని, నూలుకు గట్టుతాటు అయ్యే ధరకుమాదా సబ్సిడీ యిచ్చి సహాయపడాలన్న సూచనలమీద, ప్రభుత్వమువారు ఏమి చర్య తీసుకొన్నారు? ”

THE HON. DR. U. KRISHNA RAO :—“ Sir, I am afraid by the time the hon. Member came to the last portion of his question I forgot the rest of the question. (Laughter.) I may tell the hon. Member that the question of subsidizing the sale of handloom cloth is part of the Rs. 1.25 crore scheme that is worked by the Government of India. Details are being submitted by this Government to the Government of India in this connexion.”

SRI PILLALAMARRI VENKATESWARLU :—“ May I know, Sir, whether the Government have made enquiries whether the scheme has been successful and, if so, with what results? ”

THE HON. DR. U. KRISHNA RAO :—“ Sir, speaking generally without going into the details, Government have been informed that the scheme had been a success.”

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Women and Children's Hospital, Kozhikode.

* 715 Q.—SRI T. C. NARAYANA NAMBIAR: Will the Hon. the Minister for Health be pleased to state—

(a) how many can be accommodated in the Women and Children's Hospital, Kozhikode, Malabar;

(b) what is the average bed-strength for the last three months; and

(c) what the Government propose to do with the old Headquarters Hospital building?

THE HON. SRI A. B. SHETTY :—“(a) Two hundred and forty patients can be accommodated in the Women and Children's Hospital, Kozhikode.

“(b) The average attendance for the past three months is as under :—

January 1953	...	...	...	...	346.58
February 1953	...	...	...	...	383.64
March 1953	...	...	...	...	402.5

“(c) The question whether the old Headquarters Hospital buildings should be utilized as an annexe to the new hospital is under the consideration of Government.”

SRI T. C. NARAYANA NAMBIAR :—“In view of the fact that about 80 per cent of the patients who overcrowd the hospital and who are suffering from diseases of a serious nature, are refused admission for want of proper accommodation in the hospital and in view of the fact that the Radiologist and his paraphernalia attached to the Headquarters Hospital are at present having their rooms in the Women and Children's Hospital at Kozhikode, will the Government at least now see to it that a maternity centre is immediately attached to the Women and Children's Hospital at Kozhikode?”

THE HON. SRI A. B. SHETTY :—“There was once a proposal to house certain special departments in the old Headquarters hospital. As regards overcrowding in hospitals, to which the hon. Member had referred, I may tell him that that is not an unusual feature. Only yesterday I was in Cuddapah where the Headquarters Hospital has a sanctioned bed strength of 100 but I found as many as 270 patients accommodated there. As regards the Kozhikode old Headquarters Hospital, it is now considered not worthwhile to repair the old buildings, in view of the high cost involved. The Education department is asking for the use of the old buildings for housing a training school.”

SRI T. C. NARAYANA NAMBIAR :—“Is it not a fact, Sir, that hundreds of patients are being kept waiting in the hospital at Kozhikode while at the same time the old hospital is being kept vacant?”

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THE HON. SRI A. B. SHETTY :—“ There is enough accommodation provided in the Women and Children's Hospital at Kozhikode. The new headquarters hospital has been put up at a high cost with enough bed strength.”

SRI M. NARAYANA KURUP :—“ In view of the overcrowding, will the Government immediately sanction the construction of blocks 5 and 6 attached to the new headquarters hospital, which are intended to be maternity wards? ”

THE HON. SRI A. B. SHETTY :—“ As soon as funds become available, the question of extension will be considered.”

SRI P. KUNHIRAMA KIDAV :—“ May I know, Sir, whether the Government have received any memoranda from the public of Kozhikode for giving the old hospital buildings for opening an Ayurvedic college? ”

THE HON. SRI A. B. SHETTY :—“ The Education department require them and the matter is under consideration.”

SRI M. KALYANASUNDARAM :—“ In view of the overcrowding, will the Government consider any proposal for providing additional accommodation in the Women and Children's Hospital at Kozhikode? ”

THE HON. SRI A. B. SHETTY :—“ As I said already, most of our hospitals are nowadays overcrowded. The question of putting up any additional construction can be considered only when we have sufficient funds.”

SRI T. C. NARAYANA NAMBIAR :—“ Sir, my question has not been answered. In view of the overcrowding in the hospital at Kozhikode, and in view of the fact that the Radiologist and his paraphernalia are occupying a large portion in the same hospital, will not the Government ask the Radiologist to move somewhere so that the space occupied by him and his office may be used for providing some more beds for the patients? ”

THE HON. SRI A. B. SHETTY :—“ Sir, the X-ray unit must necessarily be provided in every large hospital, as it is important for diagnostic.”

SRI M. KALYANASUNDARAM :—“ The Hon. Minister was frank enough to admit that there is overcrowding in our hospitals. May I know, Sir, whether there is any provision under the Five-year Plan for the construction of more hospitals in our State to relieve overcrowding? ”

THE HON. SRI A. B. SHETTY :—“ Yes, Sir, a few hospitals which are old are under re-construction and extensions are being made in respect of some other hospitals.”

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MR. SPEAKER :—“ Since the hon. Member Sri T. Lakshminarayana Reddi himself has put both the following questions and they also relate to the same subject, the Hon. Minister may reply to both of them straightway.”

Number of buses plying from Kalyandrug to Dharmavaram, Anantapur district.

* 716 Q.—SRI T. LAKSHMINARAYANA REDDI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the number of buses plying from Kalyandrug to Dharmavaram via Nuthimadugu and Mamillapally;

(b) whether there were representations from bus-owners of Anantapur district to give permission for some more buses on these routes; and

(c) how many times this subject was placed on the agenda of the District Traffic Committee?

THE HON. DR. U. KRISHNA RAO :—“ (a) Two buses are plying on the entire portion of the route Kalyandrug to Dharmavaram via Nuthiamadugu and Mamillapally.

“ (b) The answer is in the affirmative.

“ (c) I suppose the proposal was placed before the Regional Transport Authority, Anantapur, only once on 9th December 1952.”

New bus route between Kalyandrug and Dharmavaram.

* 717 Q.—SRI T. LAKSHMINARAYANA REDDI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether a new bus route was opened from Kalyandrug to Dharmavaram via Nuthimadugu and Mamillapally in 1953;

(b) if so, who were the applicants; and

(c) why the proposal was dropped at the time of granting the permit?

THE HON. DR. U. KRISHNA RAO :—“ (a) The answer is in the negative.

“ (b) & (c) Do not arise.”

SRI T. LAKSHMINARAYANA REDDI :—“ Is it not a fact that the Government, because the shares of the existing company are being owned by a relation of a Congress M.P., allowed the company to continue and refused the request of the public in the locality to open a new bus route, to avoid congestion? ”

THE HON. DR. U. KRISHNA RAO :—“ I am not aware of the company or the Congress M.P. I am to say that the Government did carefully enquire into the matter and came to the conclusion that the route from Kalyandrug to Dharmavaram

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could not be called a new route as no section of it had been left unserved and as a matter of fact a regular bus route was there serving the entire locality. Moreover our enquiry revealed that the existing bus route was not overcrowded and as a matter of fact during the latter half of 1952, there was less traffic. Therefore Government had to set aside the order of the Regional Transport Officer for the opening of a new bus route from Kalyandrug to Dharmavaram."

SRI V. BALAKRISHNAN :—" In the matter of granting of bus permits in Anantapur or elsewhere in the State is it a fact, Sir, that the Government encourage major capitalists and fleet owners rather than the minor capitalists and non-fleet owners? "

THE HON. DR. U. KRISHNA RAO :—" The only consideration that always weighs with the Government is to verify the capacity of the bus-owners to provide enough seating accommodation and other amenities for the passengers consistent with the rush."

SRI S. DEIVASIGAMANY :—" Is there any particular difficulty for the Government in giving permits for these bus routes freely rather than restricting its scope? "

THE HON. DR. U. KRISHNA RAO :—" The hon. Member may be aware that at the time the question of levying a surcharge on bus passengers was discussed in this House, member after member got up and said that in view of the excessive taxation, these permits must not be given indiscriminately and thus the Government should not swell the list of existing bus-owners."

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a.m. **SRI PILLALAMARRI VENKATESWARLU :—**" It is not a question of issuing permits indiscriminately but here it is a question of indiscriminate neglect in the matter of issue of permits. Because only two buses are plying and the two buses are being unofficially overloaded, will the Government consider once again the issue of permits for more buses on this route and if they cannot, may I know the reasons why this cannot be done, Sir? "

THE HON. DR. U. KRISHNA RAO :—" As I said just now, though the whole route is served by two buses this particular sector is served by seven buses and no case of overloading has been brought to the notice of the Government. If the hon. Member will bring cases of overloading to the notice of the Government or bring in a petition saying that there is so much overloading the Government will certainly take action not only for prosecuting the owners but also will consider the question of issue of further permits on this route."

SRI N. SIVARAMI REDDI :—" Are the Government aware, Sir, that in cases where the buses are owned by local Congress bosses, the Police refuse to charge them for overloading? "

THE HON. DR. U. KRISHNA RAO :—" I am not aware of any such incident but if the hon. Member will bring it to the

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notice of the Government, Government will certainly take action against the Congress or non-Congress people, who happen to be the owners."

SRI PILLALAMARRI VENKATESWARLU :—" I hope the Hon. Minister is aware of the fact that on this route, not taking into account the particular sector, only two buses are plying and the people who want to travel cannot choose any other route because the number of buses is only two and so the needs of the people are not satisfied; that is a simple fact for which no report or enquiry is necessary. The simple reason is that a particular influential man happens to be the owner and the allegation is that permission for more buses is refused for that reason. So, might I ask if the Government will consider the question of increasing the number of buses without taking the particular sector into consideration? "

THE HON. SRI C. RAJAGOPALACHARI :—" Before the question is answered, might I hope that hon. Members opposite coming from the Andhra areas will not quote the long argumentations with which they preface a question, as a precedent, in the new Assembly? "

SRI PILLALAMARRI VENKATESWARLU :—" The Hon. the Chief Minister is always trying to give us advice and we will take it for what it is worth? "

THE HON. DR. U. KRISHNA RAO :—" I have already stated the facts as lie in my hands and I am afraid that if I am to listen to the hon. Member charges will be made that I am partial to one party or another."

SRI R. SIDDANNA GOWD :—" Will the Government consider the question of issuing a permit for one more bus on this route at least to avoid the accusation that the Government are countenancing or supporting the actions of their own partymen? "

THE HON. DR. U. KRISHNA RAO :—" Under the Motor Vehicles Act the suggestion of my hon. Friend has not been mentioned as one of the reasons for which further permits could be issued; simply because the permit-owner is a particular person belonging to the Congress party, just to refute what others might say about it, we are not justified in giving a permit to anybody else."

Visit of Hon. Ministers to Malampuzha Project.

* 718 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Public Works be pleased to state—

(a) how many Ministers visited Malampuzha Project since its inception up to the end of 1952;

(b) how many times the same Minister visited the project; and

(c) how many Ministers jointly visited the project and on how many occasions?

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THE HON. SRI N. RANGA REDDI :—“(a) Eight Ministers.

“(b) One Minister who hails from the Malabar district visited it five times, the previous Public Works Minister three times and a third Minister twice. The rest visited only once.

“(c) Three Ministers made joint visits. Two of them visited twice jointly. The third Minister visited the project jointly with one of the other two once.”

SRI M. NARAYANA KURUP :—“May I know, Sir, the total amount of travelling allowance that has been paid to the Ministers concerned?”

THE HON. SRI N. RANGA REDDI :—“Notice, Sir.”

SRI C. V. K. RAO :—“May I know if as a result of all the troubles taken by the Hon. Ministers to visit this place the project has been completed even now?”

THE HON. SRI N. RANGA REDDI :—“The project is expected to be completed at the end of 1954; Ministers' visits do not complete projects.”

AN HON. MEMBER :—“What was the purpose served by these visits?”

THE HON. SRI N. RANGA REDDI :—“Ministers should get themselves acquainted with the projects that are being executed.”

SRI M. NARAYANA KURUP :—“The Hon. Minister wanted notice in regard to my question asking for information concerning the amount of travelling allowance paid to Hon. Ministers but I may inform him that I put a question for eliciting information in this regard but it has been returned to me saying that it is not a matter of public concern, which perhaps means that moneys from public treasuries can be spent and squandered like this. If he guarantees that my question will be admitted, I will address another question again.”

SRI K. P. GOPALAN :—“May I know if Ministers are visiting the projects in order to delay the completion of the projects?”

Applications for subsistence loans in Penukonda taluk.

* 719 Q.—**SRI T. LAKSHMINARAYANA REDDI :** Will the Hon. the Minister for Land Revenue be pleased to state what was the number of subsistence loan applications in Penukonda taluk when the Government stopped paying subsistence loans?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“The number of applications for subsistence loans which were pending in Penukonda taluk when the disbursement was stopped was 2,800.”

SRI T. LAKSHMINARAYANA REDDI :—“In view of the fact that the ryots have been driven to bad straits now will the

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Government be pleased to extend and continue the grant of subsistence loans till at least the next harvest season so as to enable them to get on with their cultivation? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" The Government will consider the grant of other kinds of loans but not the subsistence loans."

Construction of a causeway across the Puthige river, Kasaragod taluk.

* 720 Q.—SRI M. S. MOGRAL : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have received any resolutions from various panchayat boards in Kasaragod taluk sanctioning contributions for the construction of a causeway across the Puthige river in Kasaragod taluk;

(b) if so, what is the aggregate amount so sanctioned; and

(c) when the Government will carry out the work and whether they will contribute the balance necessary for the construction of the said causeway?

THE HON. SRI N. SANKARA REDDI :—" (a) No.

" (b) & (c) Do not arise."

SRI M. S. MOGRAL :—" May I know whether the Government would encourage the panchayat boards which sanctioned contribution from their funds by way of financial aid to neighbouring boards to construct causeways and bridges which would also cover their needs, and would the Government contribute at least six times the amount so sanctioned by the panchayat boards? "

THE HON. SRI N. SANKARA REDDI :—" The Government give grants to district boards and the panchayats may negotiate with the district board and get on with the construction of their bridges."

Labour schools run by the Harijan Welfare Department.

* 721 Q.—

MR. SPEAKER :—" The hon. Member, Sri P. Venkatasubbiah, who put the question, is not in his place. The question and answer will therefore be printed in the proceedings."

SRI P. VENKATASUBBIAH : Will the Hon. the Minister for Education be pleased to state—

(a) the number of Labour schools run by the Harijan Welfare Department in the State of Madras; and

(b) the number of wells dug and the number of public latrines built for the use of Harijans in the State of Madras?

THE HON. DR. M. V. KRISHNA RAO :—" (a) At present 1,367 Harijan Welfare schools are being run by the Harijan Welfare Department.

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“(b) The particulars are not readily available. The Government consider that the labour and time involved in collecting the particulars will not be commensurate with any purpose likely to be served thereby.”

East India Distilleries and Sugar Factories, Limited, Nellikuppam, South Arcot.

* 722 Q.—SRI S. RADHAKRISHNAN : Will the Hon. the Minister for Agriculture be pleased to state whether it is a fact that the East India Distilleries and Sugar Factories, Limited, Nellikuppam, South Arcot district, are collecting Rs. 6 (six) per acre every year from the cane ryots of the Thiruvadi Anicut area, and if so, the reasons for it; and whether the Government have authorized them to do so?

THE HON. DR. R. NAGAN GOUDA :—“ The answer to the first part of the question is in the affirmative.

As regards the second part, the following are the circumstances under which Messrs. East India Distilleries and Sugar Factory, Ltd., Nellikuppam, collect a sum of Rs. 6 per acre from the sugarcane ryots of the Thiruvadi Anicut area :—

(1) There is a wide belt of sugarcane cultivation under the Thiruvadi channel. Almost all the sugarcane grown in the area is supplied to the sugar factory for crushing;

(2) The channel has to be cleared of silt and weeds by kudimaramath. Due to neglect of the ryots to attend to this work and with a view to keep the channel in good condition, the factory is advancing the cost of clearance and recovering it from the sugarcane growers at about Rs. 6 per acre. The clearance is generally done in the sugarcane cultivation reaches only. The payment is voluntary and is not forced on sugarcane growers who are unwilling to pay the amount.

In view of the answer to the second part of the question, the last part of the question does not arise.”

SRI S. RADHAKRISHNAN :—“ In view of the fact that the amount is collected in respect of lands grown with sugarcane and there is strong objection against this collection, will the Government be kind enough to take on itself the work of channel clearing from the next year onwards? ”

THE HON. DR. R. NAGAN GOUDA :—“ This, Sir, is a channel which has to be cleared by kudimaramath and so, the question of its being taken over by the Public Works Department does not arise.”

SRI S. RADHAKRISHNAN :—“ May I bring it to the notice of the Hon. Minister that the collection is made only from people growing sugarcane in that area? There are also lands irrigated

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with water pumped with the help of pumpsets. Will the Government give instructions to the Company not to make the collection from the lands irrigated with the help of electric pumpsets? "

THE HON. DR. R. NAGAN GOUDA :—" I cannot understand that part of the question relating to pumpsets; even people taking water by means of pumpsets need water in the channel; if the channel gets silted up, there will not be any water in the channel for pumpsets to lift."

SRI K. ARANGANATHAN :—" May I know, Sir, whether the charge is compulsory even though the water is not used? "

THE HON. DR. R. NAGAN GOUDA :—" That is a voluntary contribution."

SRI S. RADHAKRISHNAN :—" Why should the Government abdicate their sovereign right to a commercial firm instead of the Government themselves making the collection? "

THE HON. DR. R. NAGAN GOUDA :—" It is a work that ought to be done by the ryots themselves and they should go and do the work themselves. If they have come to an understanding with the factory that the factory would advance the money and get the work done and get itself reimbursed by withholding a certain amount from the sugarcane bills of the ryots, I do not see any objection; it is not at all compulsory."

SRI M. P. THIAGARAJA PILLAI :—" In respect of this levy Sir, representations have been made by the ryots concerned. Would it not be the duty of the Government to meet the cost of clearance from their own funds and not to impose a sort of second levy upon the ryots? "

THE HON. DR. R. NAGAN GOUDA :—" The hon. Member knows that in this State there are many irrigation channels where the work of clearance is done by the ryots under the kudimaramath system. I do not think we can ask the Government to take it up in the Public Works Department."

SRI P. PUNDARIKAKSHACHARYULU :—" May I know Sir, whether Government enquired if accounts are maintained by the factory for this purpose? "

9-10
a.m.

THE HON. DR. R. NAGAN GOUDA :—" No complaints have been received about this."

SRI R. SIDDANNA GOWD :—" What is the total amount so collected? "

THE HON. DR. R. NAGAN GOUDA :—" The collection is at the rate of Rs. 6 per acre. The hon. Member may make his own calculation."

SRI G. RAMA RAO :—" Question No. 721 is a very important one, Sir. An hon. Member rose to put the question but Mr. Speaker did not notice it. Probably he might have been authorized."

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MR. SPEAKER :—“ When I called the question, the hon. Member Sri P. Venkatasubbiah was not in his seat and no other hon. Member stood up at that time. So I said that the answer would be printed in the proceedings and passed on to the next question.”

House-rent allowance to the copyists in the Judicial Department.

* 723 Q.—SRI KUNHI MUHAMED SHAFEE: Will the Hon. the Minister for Law be pleased to state—

(a) whether copyists in the Judicial Department are treated as members of the superior services for all purposes of drawing emoluments as per G.O. No. 187, Home, dated 16th January 1950;

(b) whether they are denied the privilege of drawing the house-rent allowance; and

(c) if the answer to (b) is in the affirmative the reason for the same?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ (a) Copyists are treated as members of the superior services for purposes of leave and pension, under the conditions laid down in G.O. Ms. No. 187, Home, dated 16th January 1950.

“ (b) The answer is in the affirmative.

“ (c) It is because the grant of this to the copyists of the Judicial Department has to be considered along with the claims of various similar departments and the present financial position does not warrant the above grant.”

Shoe-makers' Society, Cuddapah.

* 724 Q.—SRI S. NARAYANAPPA (on behalf of Sri P. Venkatasubbiah): Will the Hon. the Minister for Co-operation be pleased to state the reasons for refusing to register the Shoe-makers' Society at Cuddapah as a Co-operative Society?

THE HON. SRI D. SANJIVAYYA :—“ Owing to difficulties inherent in the leather and tanning business, the leather workers' societies are not able to push through their products in the market. The proposals to register a Shoe-makers' Society at Cuddapah and in some other places were therefore ordered to be dropped.”

SRI R. SIDDANNA GOWD :—“ Will the said Society be started as an experimental measure and will the Government see how it works? ”

THE HON. SRI D. SANJIVAYYA :—“ We have started some societies, Sir, and for the hon. Member's information I may tell him that we registered a society in Rajampet some two years ago. We gave a total amount of subsidy of Rs. 1,820. In spite of this help, the society could not function and it is on the verge of liquidation.”

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SRI V. CHIDANANDAM :—“ In view of the fact that the Harijans of Kurnool and Cuddapah are very poor and since the Hon. Minister also knows the conditions of those Harijans, may I suggest that the assistance may be prolonged by way of more subsidies? ”

THE HON. SRI D. SANJIVAYYA :—“ I know the conditions, Sir, but unfortunately I cannot convince myself with regard to the successful functioning of the Societies.”

SRI M. JAGANNATHAN :—“ Sir, the Hon. the Minister for Co-operation was referring in his reply to some inherent difficulties in the leather and tanning business. May I know, Sir, what are those inherent difficulties? ”

THE HON. SRI D. SANJIVAYYA :—“ There are so many inherent difficulties. If only the hon. Member could give me time, I would supply him with a detailed list. But, in the meanwhile, I may inform the hon. Member that the Director of Harijan Welfare has been deputed to study these difficulties and make a report. We are awaiting the report.”

SRI M. RAJESWARA RAO :—“ Sir, in view of the fact that the Harijan Welfare Committee in 1948 recommended the giving of priority to Leather Co-operative Societies, will the Government consider the question of granting subsidies to such Societies wherever they are formed by the Harijans? ”

THE HON. SRI D. SANJIVAYYA :—“ We are aware of the report and we have given suitable and adequate subsidies. If the hon. Member is not able to convince himself with regard to the adequacy of these subsidies, I cannot help.”

SRI T. VISWANATHAM :—“ In view of the fact that the trade is likely to flourish better in Rayalaseema because of the fact that a new life has been infused into it, will not the Hon. Minister now sanction the starting of Societies? ”

THE HON. SRI D. SANJIVAYYA :—“ I may inform the hon. Member that Rajampet is in Rayalaseema area and there we cannot function successfully. But if the hon. Member refers to the future, I will certainly look into it.”

SRI V. BALAKRISHNAN :—“ In view of the inherent difficulties of finding a market as explained by the Hon. Minister, why should not the Society open a Sales Emporium in Madras City entirely staffed by the ladies? ”

THE HON. SRI D. SANJIVAYYA :—“ The matter is under consideration, Sir.”

Jaggery Co-operative Societies in Anantapur district.

* 725 Q.—**SRI T. LAKSHMINARAYANA REDDI :** Will the Hon. the Minister for Prohibition be pleased to state the number of jaggery co-operative societies formed in Anantapur district for the benefit of ex-toddy tappers and the number working in those societies?

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THE HON. SRI V. C. PALANISAMI GOUNDER :—" The Doddaghatta Date Jaggery Production and Sale Society is the only Jaggery Production Society in the Anantapur district formed for the benefit of ex-toddy tappers and the number of its members was 24 on 31st December 1952."

SRI T. LAKSHMINARAYANA REDDI :—" The report of the officers that inspected the Society was good and in view of that fact, will the Government consider extending the same concession to Penukonda taluk at least? "

THE HON. SRI V. C. PALANISAMI GOUNDER :—" Sir, the hon. Member assumes that the report was good. But the information available with the Government is rather otherwise."

SRI K. GOVINDA RAO :—" Will the Hon. Minister be pleased to tell me, Sir, why in certain places date palm was allowed to be tapped for the manufacture of jaggery and why in other places it was not allowed in spite of guarantees given as required by the Government? "

THE HON. SRI V. C. PALANISAMI GOUNDER :—" In Andhra Desa, as far as my information, both official and non-official, goes, there is not much popularity for *neera* as people do not generally relish it and more so for the manufacture of jaggery especially from date palm."

SRI PILLALAMARRI VENKATESWARLU :—" May I know, Sir, whether the Government are prepared to take the information from the hon. Members that this date palm jaggery is as popular in the Andhra area, as it is in Tamil Nad or any other area? "

THE HON. SRI V. C. PALANISAMI GOUNDER :—" That is a matter of opinion. Personally speaking, I have travelled in some parts of Andhra and I come to know that many people consider it *infra dig* to consume jaggery manufactured from date palm or from palmyrah."

SRI S. DEIVASIGAMANY :—" What is the average income per day that the ex-toddy tapper may get by manufacturing jaggery? "

THE HON. SRI V. C. PALANISAMI GOUNDER :—" Off-hand I am not in a position to answer because I have not got the correct average data. But from my knowledge I can say that the rate of income varies from district to district. For example, in Tirunelveli district the average income per day is Rs. 3."

SRI G. SIVASANKARA REDDI :—" Have the Government received any report regarding the Jaggery Co-operative Societies from the District Prohibition Committee, Anantapur, and, if so, what are its contents? "

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THE HON. SRI V. C. PALANISAMI GOUNDER :—" Off-hand I am unable to give an answer. So far as I know, no report has been received from the District Prohibition Committee, Anantapur."

Government quarters for female nursing orderlies.

* 726 Q.—SRI T. C. NARAYANA NAMBIAR: Will the Hon. the Minister for Health be pleased to state— 9-20
a.m.

(a) whether the Government have received any representation to give residential quarters for the women employed as female nursing orderlies, etc.;

(b) how many midwife trainees there are in Government Women's Hospital, Kozhikode;

(c) how many are paid stipends; and

(d) whether they have residential quarters?

THE HON. SRI A. B. SHETTY :—" (a) No.

(b) Thirty.

(c) Twenty.

(d) The answer is in the negative."

SRI T. C. NARAYANA NAMBIAR :—" May I know why some only of the trainees are given stipends and not all the trainees? "

THE HON. SRI A. B. SHETTY :—" The number of trainees to be given stipends is limited."

Accident Reserve Fund.

* 727 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Industries and Labour be pleased to state when the Accident Reserve Fund was constituted?

THE HON. DR. U. KRISHNA RAO :—" The Accident Reserve Fund was constituted in the accounts of the Government Bus Services, Madras City, in the year 1947-48."

SRI S. VEMIAH :—" May I know under what circumstances the Fund was constituted, how much amount is available in the Fund and how much of the amount was spent in the several accidents that took place? "

THE HON. DR. U. KRISHNA RAO :—" In G.O. Ms. No. 2681, Home, dated 14th July 1948 the Government directed that an Accident Reserve Fund should be constituted in the Provincial Accounts relating to the Government Bus Service. It was ordered that adjustments to the Accident Reserve Fund should be made on the basis of the premium payable for a comprehensive policy of insurance.

In G.O. Ms. No. 4119, Home, dated 8th November 1948, it was ordered that the contribution to the Accident Reserve Fund should be made at the following rates on the basis of

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the premium payable for a comprehensive policy of insurance covering not merely third party risks but also passenger and damage risks.

Type of bus.	Annual premium for each bus.
	RS.
Diesel bus	586
194" wheel base bus	464
158" wheel base bus	356

It was also ordered that contribution to the Fund for the two years 1947-48 and 1948-49 at the above rates should be provided for and adjusted in the accounts for 1948-49.

In G.O. Ms. No. 2984, Home, dated 29th June 1950, the Government accepted the recommendations of the Transport Commissioner and the Accountant-General, Madras, and directed that the existing process of accounting according to which contributions to the Accident Reserve Fund were made at fixed rates be dispensed with, that the expenditure on the rectification of the damage to buses arising out of accidents be straightway debited to revenue and that contributions sufficient to cover only third party risks be made to the Accident Reserve Fund. The Government agreed with the Transport Commissioner that a sum of Rs. 2 lakhs would be sufficient to cover third party risks to be borne by Government."

SRI V. K. RAMASWAMI MUDALIAR :—" May I know how and wherefrom money for this fund is collected? "

THE HON. DR. U. KRISHNA RAO :—" It is not collected; a portion of the income from Government Bus Service is allotted to the Fund."

Irrigation in the right bank of Malampuzha dam.

* 728 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Public Works be pleased to state whether any representations including a resolution of the Malabar District Food Production Committee have been received by the Government regarding the irrigation needs of the people on the right bank of Malampuzha dam and if so, what action has been taken?

THE HON. SRI N. RANGA REDDI :—" Yes. The Government have called for a report from the Chief Engineer (Irrigation) in the matter."

Famine areas in Chittoor district.

* 729 Q.—SRI D. SEETHARAMIAH : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have declared any taluk in Chittoor district as famine area;

(b) if so, which taluks; and

(c) what relief measures are at present worked in such taluks?

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) & (b) The areas mentioned below are regarded as drought-affected in the Chittoor district—

Madanapalle taluk, excepting Madanapalle firka.

Vayalpad taluk, except Yarravaripalem firka.

Puttur taluk—Rayalacheruvu firka.

Chittoor.

Chandragiri.

Punganur.

“(c) One hundred and twenty-two Highways works, 58 Food Production works, 487 Minor Irrigation works, 681 Rural Water-supply works and 2 blocks of contour bunding works are in progress in the drought-affected areas of Chittoor district. Four hundred and seventy fair price shops are functioning. ‘Rs. 150 subsidy scheme’ to deepen drinking water wells has been revived. Two hundred and forty-two gruel centres are functioning. In addition loans are being disbursed liberally. Proposals for sanctioning of land revenue remission are under the consideration of the Government. But collection of land revenue has been suspended where remission will ultimately have to be granted.”

SRI D. SEETHARAMIAH :—“Will the Hon. Minister be pleased to say why gruel centres have been closed in Madanapalle and Vayalpad taluks?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Gruel centres cannot be run throughout the year. When agricultural conditions improve, certain gruel centres have to be closed.”

SRI G. SIVASANKARA REDDI :—“Some areas, which are classified as ‘C’ zones, i.e., areas which are on the verge of famine, have been granted remissions and may I know the reason for it?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Some more concessions are being considered and they will be given.”

The Cherupuzhathodu bridge in North Malabar.

* 730 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Local Administration be pleased to state—

(a) at what stage the construction of the Cherupuzhathodu bridge in Payyanoor firka in North Malabar stands now; and

(b) how much amount of money Government have already spent on constructing the bridge?

THE HON. SRI N. SANKARA REDDI :—“(a) A bridge of timber trestle and timber deck which was nearly completed was washed away by floods in the river, leaving the deck over

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one span and wooden piles undamaged. The question of constructing a pucca masonry bridge instead of the timber bridge is under consideration.

“(b) The expenditure on the work so far incurred is Rs. 25,115 and the Government grant drawn by the Malabar District Board is stated to be Rs. 15,752.”

SRI K. P. GOPALAN :—“ When I put the same question last time, the Hon. Minister was pleased to give the answer that the construction of the bridge had already begun and that the work would be completed within two weeks. I went to that place and found that the construction had not begun. The Government spent Rs. 55,000 on the construction of the bridge and the bridge was washed away within two weeks after construction. Is it a fact that the Public Works Department mismanaged the whole thing and sold away the materials and that the Government did not take care to see that the bridge was constructed in a proper manner? The Public Works Department did not even fix the nuts and bolts, Sir, for this bridge. Such was the negligence.”

MR. SPEAKER :—“ The hon. Member is making a speech. Let him put the question straightway.”

SRI K. P. GOPALAN :—“ I want a definite answer from the Hon. Minister as to when the construction of the bridge will begin and when the work will be completed.”

THE HON. SRI N. SANKARA REDDI :—“ The timber bridge has been washed away, and the question of constructing a pucca masonry bridge is under consideration. The timber bridge was constructed by the District Board and Public Works Department Engineer.”

SRI R. SIDDANNA GOWD :—“ Did the Government investigate into the loss incurred on account of the bridge being washed away? ”

THE HON. SRI N. SANKARA REDDI :—“ The Department will naturally investigate and find out whether the loss is due to avoidable causes or not.”

SRI R. SIDDANNA GOWD :—“ My question is whether a committee not belonging to the engineering department will be appointed to investigate the loss.”

THE HON. SRI N. SANKARA REDDI :—“ The matter will be considered.”

9-30 a.m. SRI T. C. NARAYANA NAMBIAR :—“ In view of the importance of this question, I request the Hon. Speaker to allow a half-hour debate to-day.”

MR. SPEAKER :—“ Provided the House is prepared to sit till 2 o'clock, I have no objection to the half-hour debate. Question-time is over.”

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SRI V. CHIDANANDAM :—“ In view of the fact that a number of questions have been left over the other day for to-day, and as so many questions had been left over to-day, when are we to complete the questions? There are so many important questions.”

MR. SPEAKER :—“ The answers to the remaining questions will be printed in the proceedings.”

Representations from the Harijans of Vadalakunta in Kovvur taluk, West Godavari district.

* 731 Q.—SRI M. RAJESWARA RAO : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government (Collector) received any representations from the Harijans of Vadalakunta of Kovvur taluk in West Godavari district complaining that the caste-Hindus of the village are not permitting the Harijans to use the public well (Rural Water-supply well) for drinking water purposes;

(b) if so, the action taken thereon; and

(c) whether it is a fact that the Government proposed another well at enormous cost exclusively for those Harijans?

THE HON. DR. M. V. KRISHNA RAO :—“ (a) The well near the Harijan colony in Vadalakunta village of Kovvur taluk is a District Board well and was not constructed under the R.W.S. scheme. No complaints have been received so far to the effect that the Harijans are not allowed to use the well in question.

“ (b) Does not arise.

“ (c) As the water-supply in the existing well was not sufficient for the use of the entire population of the village the erection of a pump at a cost of Rs. 1,000 has been sanctioned by the Collector. It is a fact that the well is proposed for the use of the Harijans. The cost is not however enormous as explained above.”

Agricultural farm at Palur, South Arcot district.

* 732 Q.—SRI S. RADHAKRISHNAN : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Agricultural farm at Palur, South Arcot district, is working at a loss or gain to Government; and

(b) what is the amount of expenditure incurred every year on its maintenance?

THE HON. DR. R. NAGAN GOUDA :—“ (a) The Agricultural Research Station, Palur, is working at a loss in the sense that expenses are not covered by receipts.

“ (b) The average annual expenditure incurred on the maintenance of the station during the last five years is about Rupees 47,000.”

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Grant of gun licences in Malabar.

* 733 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Law be pleased to state how many applications were received by the Collector of Malabar from the peasants and the public of Malabar for granting permission for gun licence during the period 1952-53 and how many applications were rejected?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ One thousand two hundred and seven applications were received by the Collector of Malabar from the peasants and the public of the district for gun licences during 1952-53. Out of these 604 applications were rejected.”

Educational concessions to the employees of the Market Committees.

* 734 Q.—SRI T. C. NARAYANA NAMBIAR : Will the Hon. the Minister for Agriculture be pleased to state whether educational concessions granted to the Non-gazetted Officers, servants of the Local Boards and Aided school teachers are extended to the employees of the Market Committees constituted as per Madras Commercial Crops Markets Act of 1933; and if not, why not?

THE HON. DR. R. NAGAN GOUDA :—“ The answer to the first part of the question is in the negative. As regards the second part the concessions in question were not extended to the employees of Market Committees as they had not been extended to the employees of similar statutory bodies like the Universities.”

Bifurcation of the State Co-operative Institutions.

* 735 Q.—SRI PRAGADA KOTAIAH : Will the Hon. the Minister for Co-operation be pleased to state what steps the Government propose to take for the expeditious bifurcation of the State Co-operative Institutions in view of the impending formation of the Andhra State?

THE HON. SRI D. SANJIVAYYA :—“ The question of division of the State Co-operative Institutions is under examination.”

Malaria Field Stations in Malabar.

* 736 Q.—SRI T. C. NARAYANA NAMBIAR : Will the Hon. the Minister for Health be pleased to state—

(a) the cost of expenditure involved in maintaining the parallel Indian Team that functioned with the World Health Organization (W.H.O.) team at Ernad in Malabar in 1950;

(b) the number of people protected against malaria or benefited by the World Health Organization Scheme and the per capita cost of it; and

(c) the number of people benefited or protected against malaria by the operations of the Government of Madras in Wynaad Malaria Field Station in Malabar and the per capita cost of it?

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THE HON. SRI A. B. SHETTY :—“(a) The expenditure involved is Rs. 97,559-7-0.

“(b) The number of people protected is 63,000 and Rs. 1-8-9 is the per capita cost (excluding materials which were supplied by UNICEF).

“(c) The number of people benefited is 1,63,517 and Rs. 1-7-5 is the per capita cost.”

District Co-operative Central Bank, Cuddapah.

* 737 Q.—SRI P. VENKATASUBBIAH: Will the Hon. the Minister for Co-operation be pleased to state—

(a) whether there is a proposal to supersede the District Co-operative Central Bank, Cuddapah;

(b) whether there was a deputation to him requesting him to drop the question of supersession; and

(c) what has been the final decision on the matter?

THE HON. SRI D. SANJIVAYYA :—“(a) The Board of Management of the Cuddapah Co-operative Central Bank has been superseded by the Registrar for one year from 26th May 1953.

“(b) Three Directors of the Bank led a deputation to the Registrar of Co-operative Societies and wanted six months' time to set right the irregularities observed in the working of the Bank.

“(c) The request of the deputationists was not complied with by the Registrar.”

Checking Inspectors in Government Transport Service.

* 738 Q.—SRI T. C. NARAYANA NAMBIAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) how many Checking Inspectors in the Government Transport, Madras, were promoted and how many reverted in 1951-52 and what were the reasons for reversion;

(b) whether the Government received any representation from the reverted Inspectors, and if so, what action was taken; and

(c) whether the Government have a Coach Building Factory at Chromepet, and if so, why it was that 30 buses were brought from Bombay, General Motors, Limited, in 1952 instead of building the body in the Factory at Chromepet?

THE HON. DR. U. KRISHNA RAO :—“(a) Two Checking Inspectors were promoted and one reverted in 1951-52. The reversion was due to continued unsatisfactory work.

“(b) No representation was received from the reverted Checking Inspector.

“(c) Yes, Sir. The Government have a Coach Building Factory at Chromepet. The Government Factory was fully

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engaged with other work on hand and could not undertake the construction of the bodies on the 30 chassis which had to be done very urgently. The quotation for construction of bodies by Messrs. General Motors was also extremely reasonable and reports from users regarding their bodies were very favourable."

Scales of pay of the maistries under the Highways Department.

* 739 Q.—SRI K. R. VISWANATHAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the maistries under the Highways Department are whole-time Government servants of the department;

(b) if not, the reasons for not treating them as whole-time Government servants; and

(c) if so, the pay scales granted to them?

THE HON. SRI N. RANGA REDDI :—“(a) Yes.

“(b) Does not arise.

“(c) The maistries are on monthly rates of pay varying from Rs. 20 to Rs. 100 and there is no time scale of pay prescribed for them. Their pay varies from place to place as it has been fixed taking into consideration the prevailing market rates. The Divisional Engineers have got powers to fix the pay of the maistries up to Rs. 100 per mensem and also to grant them increments, ranging from Re. 1 to Rs. 5 according to their deserts.

Kist collection in Kudligi taluk, Bellary district.

* 740 Q.—SRI K. KOTRA BASAVANA GOUD: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the kist collection in Kudligi taluk of Bellary district has been postponed;

(b) whether the Government have granted remission of land revenue; and

(c) if so, what percentage?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) Yes. Collection of kist due in the months of January and February 1953 has been postponed to April and May 1953 respectively.

“(b) & (c) Proposals for land revenue remission in respect of any part of Bellary district have not so far been received by the Government.”

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The Chethukadavu bridge in Wynaad.

* 741 Q.—SRI M. K. PADMAPRABHA GOUNDER: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have received any representations regarding the Chethukadavu bridge, spanning the river Chethukadavu in Wynaad Constituency; and

(b) if so, what action has been taken?

THE HON. SRI N. SANKARA REDDI :—“(a) No.

“(b) Does not arise.”

Grants to Harijan hostels.

* 742 Q.—SRI G. SIVASANKARA REDDI: Will the Hon. the Minister for Education be pleased to state whether any suggestion regarding grants to Harijan hostels has been received recently from the M.L.A., Hindupur; and if so the action taken thereon?

THE HON. DR. M. V. KRISHNA RAO :—“Yes; a reply has also been sent to the Member of the Legislative Assembly.”

Provision of tractors at Pattukkottai.

* 743 Q.—SRI M. MARIMUTHU: Will the Hon. the Minister for Agriculture be pleased to state whether there is any proposal to provide tractors at Pattukkottai for cultivation purposes in the taluk?

THE HON. DR. R. NAGAN GOUDA :—“There is no proposal with the Government to station tractors at Pattukkottai for cultivation purposes in the taluk. The working of the Departmental tractors in Tanjore district is under the control of the District Agricultural Officer, Tanjore, who distributes the available units between Pattukkottai and Tanjore divisions during the main ploughing season.

Steps are being taken to ensure that the demand for tractor ploughing in the Pattukkottai area is adequately met.”

Sub-Magistrate's Court for Vinukonda, Guntur district.

* 744 Q.—SRI P. VENKATASIVIAH: Will the Hon. the Minister for Law be pleased to state—

(a) whether the Government have received a memorandum from the district authorities of Guntur to constitute a separate Sub-Magistrate's Court at Vinukonda; and

(b) if so, what is the action the Government have taken or propose to take?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“(a) Yes.

“(b) The matter is under examination. Orders will be issued as early as possible.”

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Cottage industries in Cuddapah district.

* 745 Q.—SRI P. VENKATASUBBIAH: Will the Hon. the Minister for Co-operation be pleased to state the number of cottage industries registered under the Co-operative Societies Act of 1932, in the district of Cuddapah during the year 1952–53 and amongst them the number of societies that have received Government aid?

THE HON. SRI D. SANJIVAYYA :—“ The following three Cottage Industrial Co-operative Societies were registered in Cuddapah district during 1952–53 :—

- (1) T. Sundupalle Neera and Jaggery Production and Sale Co-operative Society;
- (2) Simhadripuram Tape Weavers' and Cottage Industrial Production and Sale Co-operative Society; and
- (3) Eruvapallam Weavers' Co-operative Production and Sale Society;

None of these Societies received Government aid.”

Mayuram Government Hospital.

* 746 Q.—SRI K. R. SAMBANDAM: Will the Hon. the Minister for Health be pleased to state—

(a) whether the construction of a ward at Mayuram Government Hospital has been stopped; and

(b) if not, what is the reason for the delay in its construction?

THE HON. SRI A. B. SHETTY :—“ (a) & (b) In 1951 the Government accepted the offer of one Sri T. Lakshmana Rao to construct a maternity ward of 4 beds and the work is almost complete except minor items of plastering, painting the doors, etc., and provision of sanitary and electrical fittings. These works have been stopped for the last four months. The donor has been addressed by the District Medical Officer, Tanjore, to expedite the completion of the work.”

New buses purchased by the Government Transport Department.

* 747 Q.—SRI S. S. KOLKEBAIL: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether any new buses had been purchased by Government Transport in the years 1949–50, 1950–51 and 1951–52; and if so, how many;

(b) whether tenders were called for, for the same and if so whether lowest tenders were accepted and if not, why; and

(c) what was the cost of each bus, from which company it was bought, and what was the total amount paid thereon?

THE HON. DR. U. KRISHNA RAO :—“ (a) No new buses were purchased during the years 1949–50, and 1950–51. Thirty-two new buses were purchased during the year 1951–52.

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“(b) One ‘Guy Arab’ diesel bus was purchased as a Prototype bus from the manufacturers’ sole representative in India, namely, Messrs. Mahindra and Mahindra, Bombay. One ‘Leyland’ diesel bus was purchased after calling for tenders. The lowest tender offered by Messrs. Ashok Motors, Madras, was accepted in this case. Thirty Chevrolet buses were purchased from the manufacturers, namely, Messrs. General Motors, Bombay, without inviting tenders as experience showed that they were of good quality not requiring major repairs and that they give a better mileage per gallon of petrol than other models.

“(c)

Make of the vehicle.	From whom purchased.	Cost of each bus.	Total cost.
(1)	(2)	(3)	(4)
		RS. A. P.	RS. A. P.
1 Guy Arab diesel bus.	Messrs. Mahindra and Mahindra, Bombay.	53,082 5 0	53,082 5 0
2 Leyland diesel bus.	Messrs. Ashok Motors, Madras.	50,187 2 0	50,187 2 0
3 Chevrolet buses.	Messrs. General Motors, Bombay.	25,053 8 0	7,51,605 0 0”

Admission into the Government Engineering Colleges.

* 748 Q.—SRI K. R. VISWANATHAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of Brahman students admitted to the Government Engineering Colleges in the State in the year 1952;

(b) the number of Backward Class students selected in the same year for admission to the above course by open competition and by reservation of 20 per cent seats respectively; and

(c) the number of Harijan candidates similarly selected for admission to the above course by both the methods?

THE HON. SRI N. RANGA REDDI :—“(a) to (c) After deducting the number of seats reserved for students coming from areas outside the State, 15 per cent of the seats are reserved for candidates belonging to the Scheduled Castes and Tribes, and 25 per cent of the seats for other Backward Classes the remaining number of seats is thrown open to all the classes :—

(a) Number of Brahman students admitted to the Government Engineering Colleges in 1952. 160

(b) Number of Backward Class students selected for admission—

By open competition	..	..	..	21
By reservation	—	..	..	79

(c) Number of Harijan students selected for admission—

By open competition	..	—	..	1
By reservation	—	—	..	32”

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Seasonal conditions in Anantapur district.

* 749 Q.—SRI S. NARAYANAPPA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether any report by the Collector of Anantapur district about the adverse seasonal conditions has been received by the Government since 1st January 1953; and

(b) if so, what action has been taken?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) Reports are being received from the Collector of Anantapur periodically.

“(b) Six District Board works, two Tank Improvemet works, 53 Rural Water Supply works, 12 Minor Irrigation works, 19 others and one Upper Pennar Project work are in progress to provide employment. One hundred and forty-seven gruel centres are running at present and proposals are on hand for deepening wells and for supply of water by lorries. Proposals for remission of land revenue are under the consideration of the Government.”

Government Ophthalmic Hospital, Egmore.

* 750 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Health be pleased to state when the new block constructed in the Ophthalmic Hospital, Egmore, Madras, will be opened for the patients?

THE HON. SRI A. B. SHETTY :—“The new block was opened on 1st May 1953.”

Memorandum from the peasants of Madukkarai village, Coimbatore district.

* 751 Q.—SRI M. PALANIANDI: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government have received any memorandum from the peasants of Madukkarai village in Coimbatore district, regarding their unemployment on account of the supply of clay to the Cement Factory at Madukkarai by lorries; and

(b) if so, what action the Government have taken thereon?

THE HON. DR. U. KRISHNA RAO :—“(a) Yes, Sir. A representation was made to Government in October 1952.

“(b) The request was remitted to the Company for sympathetic consideration. But the Company regretted that since it had taken over the work departmentally, it could not utilize the services of bullock carts.”

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Relief to plantation, betelvine and coconut garden owners of Tanjore district.

* 752 Q.—SRI S. RAMALINGAM : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any memorandum from the plantain growers, betelvine growers and coconut garden owners of Tanjore district who were much affected by the recent cyclone that they should be given sufficient relief and loan; and

(b) if so, what action the Government have taken or propose to take in this connection?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) & (b) A number of petitions were received from affected persons and they were all transferred to the Collector of Tanjore for necessary action. So far as the plantain and betelvine growers are concerned, the Government have sanctioned remission on the following scales in respect of plantains and betelvines :—

Plantains.—Full remission of water charge in cases where the gardens have been wholly or substantially destroyed.

Betelvines.—Full remission of water charge in respect of dry lands and of assessment and fasaljasti in respect of wet lands for the acreage completely destroyed.

In addition, loans to the tune of Rs. 50,000 were also ordered to be disbursed to the betelvine growers for replanting betelvine.

The Government have also issued orders sanctioning the procurement and distribution of one lakh seed coconuts to be sold at 6 annas each.”

Construction of the Ponnampara-Kutdoor road in Payyanur firka, North Malabar.

* 753 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Local Administration be pleased to state at what stage the construction of the Ponnampara-Kutdoor road in Payyanur firka, North Malabar, stands now, and when the road will be completed?

THE HON. SRI N. SANKARA REDDI :—“The formation of the road from Ponnampara to Kutdoor was completed two years ago.”

Assignment of poramboke lands to Harijans in Malabar.

* 754 Q.—SRI E. T. KUNHAN : Will the Hon. the Minister for Education be pleased to state—

(a) the number of Harijans from Malabar to whom the fifteen cents land was assigned for house-site in 1952; and

(b) the extent of poramboke lands assigned to Harijans in Malabar for cultivation in 1952?

THE HON. DR. M. V. KRISHNA RAO :—“(a) & (b) Nil.”

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*Representations from the handloom weavers of Vinukonda,
Guntur district.*

* 755 Q.—SRI PRAGADA KOTAIAH: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any representation from the handloom weavers of Vinukonda, Guntur district, has been received by the Government requesting them for the assignment of the 470 acres of Koppukonda forest in Vinukonda taluk on the southern side of the Koppukonda tank for the purpose of cultivation by them; and

(b) if so, the action taken thereon by the Government?

THE HON. DR. R. NAGAN GOUDA :—“(a) & (b) No such representation has been received by the Government, Sir.”

Probationers in the Co-operative department.

* 756 Q.—SRI P. VENKATASUBBIAH: Will the Hon. the Minister for Co-operation be pleased to state—

(a) whether it is a fact that the declaration of satisfactory completion of probation of the subordinates in the Co-operative department is abnormally delayed; and

(b) if so, the number of cases of delay for over one year in the cadres of Junior Inspectors, Senior Inspectors and Co-operative Sub-Registrars in the State?

THE HON. SRI D. SANJIVAYYA :—“(a) There were some delays prior to 1950 but there is no delay now, Sir.

“(b) There are at present, one case of Co-operative Sub-Registrar; 12 cases of Senior Inspectors; and 8 cases of Junior Inspectors, where satisfactory completion of probation has not been declared.”

Local Fund Hospital at Vinukonda, Guntur district.

* 757 Q.—SRI P. VENKATASIVIAH: Will the Hon. the Minister for Health be pleased to state whether any representation has been received from the District Board, Guntur, asking the Government to take over the Local Fund Hospital at Vinukonda under the management of the Government and if so, what action has been taken?

THE HON. SRI A. B. SHETTY :—“The answer is in the negative.”

Siddeswaram and Gandikota Projects.

* 758 Q.—SRI V. CHIDANANDAM: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there are plans and estimates ready for the execution of Siddeswaram and Gandikota Projects; and

(b) whether those projects will be preferred to the Nandikonda Project and if not, why?

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THE HON. SRI N. RANGA REDDI :—“(a) There is no project now by the name of Siddeswaram Project. If the Member refers to the Siddeswaram reservoir part of the Krishna-Pennar Project, the answer is in the affirmative.

“(b) The whole question of utilisation of the waters of the Krishna and what schemes should be included in the integrated project to be included in the Five-Year Plan is being examined by the Planning Commission and its final decision is awaited.”

Drinking-water wells in Wandiwash.

* 759 Q.—SRI D. DASARATHAN: Will the Hon. the Minister for Health be pleased to state whether any drinking-water wells were executed in Wandiwash since 1950 and if so, how many of them are now in good condition?

THE HON. SRI A. B. SHETTY :—“(1) No wells were sunk in Wandiwash Panchayat since 1950 by the Government; but 12 existing wells in the Panchayat area were deepened due to adverse seasonal conditions and they are in good condition.

“(2) One hundred and sixteen wells were sunk since 1950 in Wandiwash taluk under the Rural Water-Supply Scheme and 70 wells were deepened. All of them are in good condition.”

Improvement to the Thalugai Bathirpettai Tank Irrigation in Musiri taluk.

* 760 Q.—SRI N. RAJAGOPAL: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there was any representation made in 1947 to improve the Thalugai Bathirpettai Tank Irrigation in Musiri taluk in Tiruchirappalli district; and

(b) if so, what action the Government have taken to effect improvement to the tank?

THE HON. SRI N. RANGA REDDI :—“(a) No representation was received in 1947, but representations were received in 1946 and in 1950 for restoring 2 different tanks in the village.

“(b) The Government examined the cases in consultation with the Chief Engineer (Irrigation). It was found in the first case, viz., the Talugai tank, that it was not feasible, as the restoration of the tank would involve submersion of 100 acres of good paddy fields to benefit 160 acres of dry lands which were neither favourably situated nor were of promising quality. The petitioner was therefore informed accordingly. The restoration of the second tank (a private kuttai in S. No. 178) was also found not feasible since it involved the

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submersion of 20.36 acres of fertile tank-bed lands for new irrigation of an extent of 18.89 acres. The proposal was therefore dropped."

Sale of cultivable Government waste lands last year.

* 761 Q.—SRI G. RAMA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the total extent of cultivable Government waste land sold by Government last year in the State; and

(b) the total extent of land out of (a) sold to landlords, the extent sold to the landless poor and the extent sold to Harijans?

THE HON. SRI M. A. MANICKAVELU NAICKER:—" (a) & (b) The information is not available."

Elections to the minor panchayats in Guntur district.

* 762 Q.—SRI K. KRISHNA RAO: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether representations by some Members of the Legislative Assembly have been received in January 1953 alleging gross and anti-democratic practices on the part of officers entrusted with the conduct of elections in minor panchayats in Guntur district, and whether the Government enquired into such cases; and if so, with what results; and

(b) what action the Government have taken to ensure free and fair elections in future?

THE HON. SRI N. SANKARA REDDI:—" (a) Yes. The petitions were enquired into and the allegations were found to be baseless.

" (b) Government have no reason to think that elections to panchayats are not being conducted freely and fairly. The Inspector of Municipal Councils and Local Boards has issued a set of comprehensive instructions to election officers to ensure proper polling. Drastic action will be taken against any election officer for misconduct in holding elections, if such misconduct is proved after due enquiry."

Cauvery-Mettur Project Scheme in Arantangi taluk.

* 763 Q.—SRI MAHAMED SALIH MARAIKAYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there was a proposal to extend the Narasingha Cauvery C.M.P. Scheme south of Vellar in Arantangi taluk;

(b) whether the channel was dug by the ryots at their own cost;

(c) whether water was supplied to the tanks south of Vellar and whether water-cess was collected even though the channel was so dug by the ryots; and

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(d) whether the level is suitable for the supply of Cauvery-Mettur Project water south of Vellar and whether Government are prepared to give supply through the same channel to the villages supplied before?

THE HON. SRI N. RANGA REDDI :—“(a) Yes.

“(b) & (c) The Cauvery-Mettur Project water was supplied to the tanks to the south of the Vellar river through the existing Korambu channels and through a channel dug by the ryots owning lands under the Ponbethi chain of tanks. Though the cost of digging the new channel was met by the ryots themselves, the expenditure on the provision of pipes required for supplying water to the tanks was met by Government, and therefore, it cannot be said that the irrigation in respect of the lands served by the new channel dug by the ryots was done entirely at the cost of the ryots. Water-cess was levied from them at the usual rates. The ryots had also agreed to the payment of the cess.

“(d) Yes, if the supply in the river permits it.”

Grant to Madanapalle Theosophical Educational institutions.

* 764 Q.—SRI D. SEETHARAMIAH: Will the Hon. the Minister for Education be pleased to state the amount of grant given to Madanapalle Theosophical College and Theosophical High School for each of the last three years?

THE HON. DR. M. V. KRISHNA RAO :—“The amounts of grant given to the Madanapalle Theosophical College and High School during each of the last three years were as follows :—

	1950-51.	1951-52.	1952-53.
	RS.	RS.	RS.
Theosophical College	15,206	20,637	19,037
Theosophical High School	8,855	5,491	5,611 ”

Fees for grazing cattle.

* 765 Q.—SRI L. ANANDAN: Will the Hon. the Minister for Agriculture be pleased to state whether the Government have under consideration any proposal for reduction of the fees for grazing cattle and for cart-loads of green manure leaves in South Arcot district to the levels prevailing in the neighbouring district of North Arcot?

THE HON. DR. R. NAGAN GOUDA :—“No, Sir.”

Supply of community receiver sets in Tanjore district.

* 766 Q.—SRI M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Public Works be pleased to state the number of applications received from panchayats in Tanjore district for supply

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of community receiver sets, the number of sets supplied so far, the number of applications pending and the reasons for the delay in disposing of them?

THE HON. SRI N. RANGA REDDI :—“ The total number of applications received from panchayats in Tanjore district is 138.

The number of sets supplied so far is 90.

The number of sets yet to be installed is 48.

There is considerable demand from other parts of the State which has also to be satisfied.”

*Shifting of the Subdivisional Officer's (Judicial) Court
from Yellamanchili in Visakhapatnam.*

* 767 Q.—SRI K. V. RAMESAM : Will the Hon. the Minister for Law be pleased to state whether there are any proposals from the Judicial District Magistrate, Visakhapatnam, on the subject of shifting the Subdivisional Officer's (Judicial) Court from Yellamanchili to Chodavaram and if not, whether the Government would be pleased to call for a report from him on the subject?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ No such proposal has so far been received from the District Magistrate, Visakhapatnam. Location of Courts of Magistrates is now primarily a matter for the High Court to consider, and Government do not consider it appropriate to call for a report in the matter.”

*Pattas to inam ryots in Madapuram village,
Tirunelveli district.*

* 768 Q.—SRI M. G. SHANKER : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the inam ryots of Madapuram village, Tirunelveli district, have applied for the grant of pattas for the inam lands they are cultivating;

(b) if so, whether they have been granted pattas;

(c) if not, the reasons for the same :

(d) whether the inam ryots have made any representation for the reduction of the rent;

(e) if so, what action has been taken on it; and

(f) if not, the reasons for the same?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) to (c) No petition purporting to be from the ryots of Madapuram village has been received by the Government. They however received petitions from Sri A. S. Kuppuswami Iyer, President, Inam Ryots' Association, Tirunelveli, in which he requested that Madapuram village might be taken over under the Abolition Act and that the title to ryotwari pattas

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for all the lands and trees in the village might be decided by the Settlement Officer appointed under that Act. The village was taken over under the Abolition Act recently on 27th May 1953 and action under the Act is being taken.

“(d) to (f) No such representation has been received by the Government.”

*Gruel centres in Kovvur and Polavaram taluks,
West Godavari district.*

* 769 Q.—SRI M. RAJESWARA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have any official information that gruel centres have been started at Gopalapuram of Kovvur taluk (West Godavari district) by private individuals to relieve the distressed; and

(b) if so, whether the Government propose to start gruel centres at some places in Kovvur and Polavaram taluks of West Godavari district?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) The Government have no information.

“(b) No.”

House-tax in Vijayavada.

* 770 Q.—T. POTHA RAJU : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Vijayavada Municipal Council has passed a resolution to the effect that all the houses which come under a monthly rental value of Rs. 35 or below should be exempted from taxation;

(b) if so, whether the Government have considered the above proposal; and

(c) what the Government propose to do in this respect?

THE HON. SRI N. SANKARA REDDI :—“(a) Yes.

“(b) Yes.

“(c) The request of the Municipal Council was negatived as section 83 (5) of the Madras District Municipalities Act, 1920, permits municipal councils to exempt any building or land from property tax only where the annual value does not exceed Rs. 13.”

*Residential scholarships to Harijan students in
Coimbatore district.*

* 771 Q.—SRI P. G. MANICKAM : Will the Hon. the Minister for Education be pleased to state—

(a) the number of Harijan students (boys and girls) studying in the Elementary Schools, Middle Schools and High Schools in the Coimbatore district; and

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(b) whether the Government take steps through the Education department to sanction residential scholarships to all the students referred to in (a)?

THE HON. DR. M. V. KRISHNA RAO :—“(a) The particulars are not readily available. They have to be gathered and compiled from each school in the district. The work will involve considerable time and labour and will not be commensurate with the purpose served.

“(b) Residential scholarships to the students belonging to the eligible communities are sanctioned by the Harijan Welfare Department only from Form I and above. The scholarships are sanctioned to the deserving students subject to the Budget allotment. It will not be possible for the Government to sanction residential scholarships to all the students who apply for it.”

Representations from the Guntur Tobacco Marketing Committee.

* 772 Q—SRI PRAGADA KOTAIAH : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any representation has been received by the Government from the Guntur Tobacco Marketing Committee stating that the public auction scheme introduced by the Government in Mangalagiri, Guntur and Tadikonda centres has not been helpful to the tobacco growers of those centres due to the non-co-operation of the Indian Leaf Tobacco Development Company which is the biggest purchaser of Virginia tobacco grown in those centres ;

(b) if so, what steps were taken by the Government ;

(c) what financial help has been given to the Marketing Committee for constructing godowns and auction floors ; and

(d) whether the Government propose to extend the public auction scheme to all the centres where Virginia tobacco is grown?

THE HON. DR. R. NAGAN GOUDA :—“(a) The answer is in the affirmative.

The Guntur Market Committee requested that steps might be taken to persuade the major companies dealing in tobacco to purchase in the market yards established by the Market Committee at least such quantities of tobacco as they were purchasing in their own depots situated outside the restricted areas of the market yards during this season.

“(b) The Government do not have the power under the Madras Commercial Crops Markets Act or Rules to compel the companies to make purchases in the Committee's market yards as suggested by the Committee.

“(c) The Government have sanctioned loans and also subsidies for the construction of godowns and auction floors to the Guntur Market Committee whenever it stood in need of such help.

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“(d) There is no such proposal at present. The Government will examine proposals in this regard as and when the Market Committees concerned submit them.”

Bus service in Vijayavada Municipality.

* 773 Q.—SRI T. POTHA RAJU : Will the Hon. the Minister for Local Administration be pleased to state whether a resolution passed by the Vijayavada Municipal Council to the effect that the city bus service of Vijayavada should be taken over and run by the Municipality has been received; and if so, what action has been taken thereon?

THE HON. SRI N. SANKARA REDDI :—“ Yes. The proposal of the Municipal Council to operate city service buses departmentally was not approved, as it was considered doubtful whether the Municipal Council could successfully compete with private bus operators unless it was enabled to run bus services on monopolistic basis.”

Representations from the Harijans of Bhavani taluk.

* 774 Q.—SRI P. G. MANICKAM : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received representations stating that a number of Harijan cheris within the Gobichetti-palayam and Bhavani taluks situated on the banks of the River Bhavani have no drinking-water wells, and burial-grounds; and

(b) what action the Government have taken or propose to take in the matter?

THE HON. DR. M. V. KRISHNA RAO :—“ (a) No.

“ (b) Does not arise.”

Investigation of the schemes proposed by Panchayat Boards.

* 775 Q.—SRI M. S. MOGRAL : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have received representations from the public that in the case of schemes proposed by Panchayat Boards, the Public Works department has been making inordinate delay in investigating them; and

(b) what steps Government have taken to prevent such delay?

THE HON. SRI N. SANKARA REDDI :—“ (a) Yes.

“ (b) The Inspector of Municipal Councils and Local Boards has under orders of Government appointed one common engineering supervisor for panchayat works in each district. The supervisor for Coimbatore district will also attend to the works of the panchayats in the Nilgiris district. It is

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be hoped that there will be no delay in the preparation of plans and estimates for panchayat works in future. More overseers will be so appointed as hands become available."

*Representations from the handloom weavers of
Challapalli village, Krishna district.*

* 776 Q.—SRI PRAGADA KOTIAH: Will the Hon. the Minister for Education be pleased to state—

(a) whether any representation from the handloom weavers of Challapalli village in Krishna district has been received by the Government requesting them to grant them lands in Chintalathota and Parvathammathota for the purpose of sizing and for their house-sites; and

(b) if so, the action taken thereon by the Government?

THE HON. DR. M. V. KRISHNA RAO :—“(a) Yes.

“(b) The proposal is under consideration.”

*Opening of a District Munsif's Court at Pattambi,
South Malabar.*

* 777 Q.—SRI K. M. SEETHI: Will the Hon. the Minister for Law be pleased to state—

(a) whether representations have been received by the Government for the opening of a District Munsif's Court at Pattambi in South Malabar; and

(b) if so, what action has been taken in the matter?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“(a) The answer is in the affirmative.

“(b) The Government have carefully examined the matter in consultation with the High Court and have decided that there is no case for the opening of a District Munsif's Court at Pattambi.”

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

**II.—ADJOURNMENT MOTION *RE* POLICE FIRING IN
DALMIAPURAM, ETC.**

SRI P. B. K. RAJACHIDAMBARAM :—“I would like to know when the adjournment motion will be taken up.”

MR. SPEAKER :—“It will be taken up to-morrow.”

SRI P. B. K. RAJACHIDAMBARAM :—“Sir, as far as the unfortunate incident in Dalmiapuram is concerned, I read from the papers that an enquiry is to be conducted by the District Magistrate, whom I hold partly responsible for the shooting incident. The submission that we have to make will become useless.”

MR. SPEAKER :—“There is no motion before the House now for the hon. Member to speak on.”

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SRI P. B. K. RAJACHIDAMBARAM :—" I want the discussion to be taken up to-day."

MR. SPEAKER :—" It has already been decided to take up the motion to-morrow between 4 and 6 p.m. I have also informed your leader. Because the Leader of the Opposition is not here, it will be taken up to-morrow."

SRI M. KALYANASUNDARAM :—" Sir, if the postponement is due to the absence of the Leader of the Opposition, my submission is that it need not be postponed to to-morrow."

MR. SPEAKER :—" I told all hon. Members who have given notice of this motion, and all leaders of parties and the Leader of the Opposition that the adjournment motion will be taken up to-morrow between 4 and 6 p.m."

SRI M. KALYANASUNDARAM :—" Sir, the Leader of the Opposition will be arriving here before 12 noon."

SRI T. SHANMUGHAM :—" கனம் சபாநாயகர் அவர்களே, I rise on a point of order. பிரேரணையை இன்றைக்கு விவாதத்திற்கு எடுத்துக்கொள்வதாக ஏற்கனவே சொல்லியிருக்கிறீர்கள். ஆனால், இப்பொழுது இதை விவாதத்திற்கு எடுத்துக்கொள்ளாமல், நாளைக்கு எடுத்துக்கொள்ளலாமென்று சொல்லுகிறீர்கள், அது ஏன் என்று கேட்கிறேன் ? "

MR. SPEAKER :—" சட்ட சபை விதிகள் என்னசொல்கிறதென்றால், கவான்மென்ட் மெம்பரையும் கலந்தகோண்டு, ஒரு நாளை நிர்ணயிக்க வேண்டுமென்று இருக்கிறது. இதற்குவேண்டிய தகவல்களைச் சேகரிப்பதற்கு நாளைவரை அவகாசம் வேண்டுமென்று கேட்டிருக்கிறார்கள். ஆகையால் இது நாளைக்கு எடுத்துக்கொள்ளப்படும். யார் யார் நோட்டீஸ் கொடுத்திருக்கிறோம், அவர்களுக்கும் இதைத் தெரிவித்திருக்கிறேன். அவர்களும் இதற்கு சம்மதித்து இருக்கிறார்கள்."

SRI T. SHANMUGHAM :—" நாளைக்காவது இதை நிச்சயமாக எடுத்துக் கொள்வீர்களா ? "

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, may I submit to the House that we need not get unnecessarily excited about this. The simple position is this. I am perfectly ready to go on with the adjournment motion as far as it can be dealt with in the present circumstances, which I have already explained. There is a committee sitting and if Members do not prejudice that enquiry, I have no objection. But we will have to deal with it in a very unsatisfactory manner. If it is wanted, I am quite willing to participate and do what I can in the circumstances. But the present question is only a limited one. We have already issued summonses for the meeting of the Council at 4 p.m. to-day. We cannot in advance postpone that or leave it unattended to. I have necessarily to be there, and I have to be here also for the adjournment motion. Therefore I say that the least that we can do is to have it not to-day. At the Council meeting to-day, I can tell the Chairman of the Council and adjust the programme. The adjournment motion can be taken up to-morrow. But yet if the Leader of the Opposition arrives by that time, and considers the situation with reference to the

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enquiry going on and agrees to have the discussion a few days later, i.e., after the Andhra Bill debate is over, I shall be much gladder. But I am quite ready to take it up to-morrow."

SRI M. KALYANASUNDARAM :—" Some Members of the Opposition are anxious to have the discussion, if possible, to-day itself. The Hon. the Chief Minister's objection can be overcome in this way. We can have a debate to-day between 12 noon and 2 p.m. We shall sit till 2 o'clock."

MR. SPEAKER :—" We shall now pass on to the next item of business."

III.—PRIVILEGE MOTION—ALLEGED ARREST AND DETENTION OF SRI N. K. PALANISWAMI, M.L.A.

MR. SPEAKER :—" The Hon. the Chief Minister wants to say something on the privilege motion of Sri K. P. Gopalan. Then I will hear what the hon. Member, Sri K. P. Gopalan, has to say. The Hon. the Chief Minister will now make his statement."

* THE HON. SRI C. RAJAGOPALACHARI :—" The issue raised now relates to a question of privilege on behalf of Sri N. K. Palaniswami, a Member of this House. I have, as promised, enquired and got a report about the actual facts of the case, as far as I could gather. It is now understood that on the occasion of my visit to Arachalur in the Coimbatore district on the 17th May 1953 for distribution of lands gifted to Bhoodan authorities, Sri N. K. Palaniswami, M.L.A., wished to lead a deputation of about 150 persons for the ventilation of certain grievances. The persons were collected at Veerappampalayam and were being led to Arachalur. Sri Palaniswami must have known that it would ordinarily not be possible for me to alter my previously announced and tightly packed programme and receive a deputation of that kind without prior appointment. It was the duty of the executive authorities of the Coimbatore district to ensure the completion of the Chief Minister's tour programme without interruption. It appears from the report of the District Superintendent of Police, Coimbatore, that the Police had information that, if the so-called deputationists were allowed to reach Arachalur in time for the meeting at which the lands were due to be distributed, unpleasant incidents might occur. The Police therefore arrested the leaders of the march at Veerappampalayam—not Sri Palaniswami. Sri Palaniswami says that the behaviour of the Police towards the persons who were arrested was brutal. The allegation is not true but even if that allegation be taken to be true, no question of breach of parliamentary privilege would arise. He was not one of the persons who were arrested at that time, and was not present with them then.

" Sri Palaniswami says that he interviewed the District Superintendent of Police, Coimbatore, and that during the interview, he was arrested by an Inspector of Police and taken to the Police station and detained there till 12 noon.

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“ The District Superintendent of Police, Coimbatore, reports that Sri Palaniswami was not arrested or detained. Sri Palaniswami's letter makes it appear that the alleged interview with the District Superintendent of Police and the alleged arrest were before the arrival of the Chief Minister at Arachalur. The District Superintendent of Police denies that he saw Sri Palaniswami that day before the Chief Minister's arrival at Arachalur. The District Superintendent of Police escorted the Chief Minister from Erode to Arachalur. *Prima facie*, therefore, Sri Palaniswami's statement of an interview with the District Superintendent of Police in the course of which he was arrested appears to be due to defective recollection of the facts. He has not made any complaint to the local magistrate or courts on this subject of alleged wrongful confinement. If the M.L.A. happened to be near and had desired to see me himself, in spite of there being no previous appointment, I would have somehow found time to oblige him. There does not appear to be any case of breach of privilege for investigation by the House or by a Committee of the House. A House of Commons paper has been recently circulated by the Speaker about the very restricted scope of privilege.”

* SRI K. P. GOPALAN :— Sir, it is a very serious matter to arrest a Member of the Legislative Assembly and detain him in jail. (Interruption.) It is really serious to keep him in Police custody and prevent him from giving the memorandum to the Hon. the Chief Minister. The hon Member, Sri N. K. Palanisami, is here. I appeal to the Hon. Speaker to give him time to explain the matter and give further details, if necessary. 9-40 a.m.

“ Now, from the statement of the Hon. the Chief Minister I understood that the time for giving the memorandum was not fixed. If it was true, the Police officers should have told the hon. Member that the time had not been fixed. Instead of that, the Deputy Superintendent of Police and the Assistant Superintendent of Police arrested him and detained him. In this connection, I am thankful to the Hon. Speaker for having circulated among the Members of the House a note regarding Captain Ramsay's case. I hold the view that the present case involves a question of privilege. I shall explain why I consider it so. In Captain Ramsay's case it was emphasised that ‘ the fact that the Executive is now responsible to Parliament and that powers such as those in question in this case can only be exercised if conferred by Parliament itself, is relevant when considering general statements such as that quoted from Blackstone made at the time of or in relation to that conflict ’. But, Sir, the present position in India is quite different. Our Constitution is different. In our country the Executive is not responsible to the Legislature. It will be apparent if you read Articles 154, 163 and 164 in the Constitution. Now, in our country, in the Parliament and in the Legislative Assemblies, the struggle is between the Legislature on the one side and the Executive on the other side. The proceedings of this House will amply testify to this statement. Suppose an

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hon. Member wants to get information from the Government, the Government can refuse to give the information on the ground that it is confidential and that they are not bound to answer. The privilege of the House is intended to protect the Members. Now, I shall quote from the Hon. Speaker's circular—

'Privilege of Parliament was principally established in order to protect its Members not only from being molested by their fellow-subjects, but also, more especially from being oppressed by the power of the Crown,' "

MR. SPEAKER :—"The hon. Member is misquoting me. Wherever it suits him, he quotes."

SRI K. P. GOPALAN :—"That is why I said that the conditions in our country were quite different."

MR. SPEAKER :—"The hon. Member should know that the privileges we enjoy are the privileges enjoyed by the House of Commons. Let him go through Article 194 (2) of the Constitution."

SRI K. P. GOPALAN :—"There is a difference."

MR. SPEAKER :—"There is no difference."

SRI K. P. GOPALAN :—"When England was ruled by the King, the King had extraordinary powers. Now, when the Executive is subordinate to Parliament, the position is different. Therefore, I submit that protection 'from being oppressed by the power of the Crown' means that Members of the Legislative Assembly should be protected from arbitrary arrest and detention by any Police officer or officers."

"My second point is this. It is conceded in Captain Ramsay's case that Members should be granted privilege 'in order that they may be able to perform their duties in Parliament without let or hindrance'."

MR. SPEAKER :—"Where is it said? Let the hon. Member read my note."

(The hon. Member Sri T. Viswanatham rose to speak.)

THE HON. SRI C. RAJAGOPALACHARI :—"On a point of order, Sir. If at all anyone should interrupt, it is I. Why should the hon. Member Sri Viswanatham take up my place now?" (Laughter.)

MR. SPEAKER :—"Perhaps he is going to be the future Andhra Speaker." (Laughter.)

SRI T. VISWANATHAM :—"Sir, I am not arguing. The hon. Member who is concerned in the matter is actually on the floor of the House. Will the House be able to know the facts from him? The Hon. the Chief Minister has stated certain facts with regard to him. I think the discussion can be more intelligently followed by us if the hon. Member is given an opportunity to explain the matter."

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THE HON. SRI C. RAJAGOPALACHARI:—"The hon. Member, Sri Viswanatham, is a little premature. If the matter is considered as one of privilege and a Committee goes into it, the hon. Member will have every opportunity to hear witnesses."

SRI T. NAGI REDDI:—"The point made by the hon. Member, Sri Viswanatham, was that the hon. Member concerned is here . . ."

* THE HON. SRI C. RAJAGOPALACHARI:—"The representations made here run in a curiously linked chain. Sri Palanisami is here. He has not raised any question of privilege. Sri Gopalan raises it. When Sri Gopalan raises a point, Sri Viswanatham rises to supplement it. When Sri Viswanatham rises, Sri Nagi Reddi wants to interpret Sri Viswanatham."

SRI T. NAGI REDDI:—"There is no question of interpreting . . ."

MR. SPEAKER:—"I will ask Sri Gopalan to continue. As soon as he finishes, let Sri Palanisami say a few words. Then I will give my ruling."

SRI PILLALAMARRI VENKATESWARLU:—"Others also must be allowed to say something."

MR. SPEAKER:—"Only if the Speaker says that a *prima facie* case has been made out, and not till then."

SRI PILLALAMARRI VENKATESWARLU:—"I am not making it a general discussion."

MR. SPEAKER:—"First let me hear Sri Gopalan."

* SRI K. P. GOPALAN:—"I want to explain my point further, Sir. We should not think that the Members of the Assembly have only limited functions. My contention is this. In the present state of affairs existing in our country, when the District Boards and Municipalities are not enjoying the same powers as the county councils and other bodies in England, we should not think that the responsibilities and functions of the Members of the Assembly are only limited. Their functions do not stop with attending and taking part in Legislatures. Their functions extend to many matters. For example, they must have the right to approach Ministers or other Officials and they must have the right to lead deputations to them. They must have immunity from arrest. When they discharge their duties, when they take a deputation on behalf of the people to the Chief Minister or any other Officer of the Government, they should not be prevented from seeing those people. 9 50 a.m.

"My third point is that maximum privileges have been conceded even in the Ramsay's case. In paragraph 9, page 3 of the note circulated to us it is said, 'The chief, if not the only privilege of Parliament in such cases seems to be the right of

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receiving immediate information of the imprisonment or the detention of any Member with the reasons for which he is detained.' In the present case, the reason for the arrest is not given. Moreover, the fact of arrest is also not intimated to the Hon. Speaker or the Secretary of the Legislature. This is not the first time, Sir, that this kind of arrest took place. Even on a previous occasion, another Hon. Member of this House, Sri B. Sankarayya, Nellore, was arrested in this manner, in his constituency. I want the House to take special notice of these facts. A very important right of the hon. Members of the Assembly, viz., leading a deputation to the Chief Minister, is denied and the hon. Member was arrested. The reason for the arrest is not given. The fact of arrest is also not communicated to the Hon. Speaker or the Secretary of the Legislative Assembly.

"So I submit that this is a very serious matter involving the privileges of the Members of the House."

MR. SPEAKER :—"The hon. Member wants new privileges to be included."

SRI K. P. GOPALAN :—"No doubt, Sir, for protecting the privileges of members."

MR. SPEAKER :—"The hon. Member wants this to be included hereafter."

SRI K. P. GOPALAN :—"There should be absolute immunity from arrest, whenever a Member wants to lead a deputation to the Minister . . ."

MR. SPEAKER :—"Let the hon. Member explain."

SRI K. P. GOPALAN :—"Even in the present instance, information was not given to the Hon. Speaker or the Secretary to the Legislative Assembly. Lastly, I want to submit that the hon. Member, Sri Palaniswamy, wanted to give a memorandum to the Hon. Speaker. He was prevented by the Police."

MR. SPEAKER :—"I am always at the disposal of the hon. Members. I come to the office half an hour before the Assembly starts. Nobody could have prevented the hon. Member from seeing me."

SRI M. KALYANASUNDARAM :—"The hon. Member only meant the Hon. Chief Minister. He wanted to say that Mr. Palaniswamy was prevented from seeing the Chief Minister."

SRI K. P. GOPALAN :—"This matter involves the privileges of the Members of this House. If a Member is effectively prevented from leading a deputation to the Chief Minister or any other Officer, how can he discharge his duties? I want that the function of the Assembly Member must be explained. He must be the tribune of the people. He must be with the people. He must represent the grievances of the people to the Ministers and

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the Government. Besides taking part in the proceedings of the Assembly, he has several duties to discharge. In this country, where Government institutions are functioning autocratically and the executive is not subordinate to the Legislature, the Members of the Assembly have many functions to discharge outside the Legislature. So, their duties outside the Legislature should be clearly defined."

MR. SPEAKER :—" It has been clearly defined in May's Parliamentary Practice. The hon. Member must find some time and go through it. We need not define it."

SRI K. P. GOPALAN :—" It must be put into practice."

MR. SPEAKER :—" We are in fact putting it into practice."

SRI K. P. GOPALAN :—" We have to verify that, Sir."

MR. SPEAKER :—" Let me now hear Mr. Palaniswamy."

* SRI N. K. PALANISWAMI :—" கனம் சபாநாயகர் அவர்களே ! முதல் மந்திரி சொல்வதில் எந்த விதமான நிபாயமும் கிடையாது. அவருக்கு கிடைத்து இருக்கக்கூடிய செய்தி தவறானது."

" அந்த ஜில்லாவில் ரொம்ப ஊழல்கள் இருக்கின்றன. அந்த ஊழல்களை அனுசரித்து பஞ்சத்திற்கு எந்த விதமான நடவடிக்கையையும் அதிகாரிகள் எடுக்கவில்லை. அதை அடிப்படையாகக்கொண்டு ஏழாயிரம் பேர் கையெழுத்து போட்ட ஒரு மகஜருடன் 150 பேர் வந்தோம். அந்த மகஜர் அவர் கையில் கிடைக்கக்கூடாது என்பதனால் இந்த மாதிரி கூத்து நடந்திருக்கிறது. இது ரொம்ப முக்கியம்."

" அதுமட்டுமல்ல. கனம் விஸ்வநாதம் அவர்களெல்லாம் எனக்காகத் தான் பேசுகிறார்கள். அவர் இந்தச் சபையில் இருக்கின்ற மெம்பர்கள். அவர்களுக்கு பேச உரிமை உண்டு, என்பதையும் கவனத்திற்குக் கொண்டு வருகின்றேன்."

MR. SPEAKER :—" யார் பேசவேண்டாமென்று சொன்னார்கள் ? "

* SRI N. K. PALANISWAMI :—" வீரப்பம்பாளையம் என்ற ஊர் அரசலூர் என்ற இடத்திற்கு மூன்று மைலுக்கு அப்பால் இருக்கின்ற பிரதேசம். அங்கு நாங்கள் வரும்போது ஒரு போலீஸ் பார்ட்டி தடுத்தது ; ' போக கூடாது ' என்று சொன்னது. ' அந்த இடத்தில் 144 சட்டம் இருக்கிறதா ? ' என்று கேட்கிறது ' அது ஒன்றுமில்லை, நீங்கள் போகக்கூடாது ' என்று சொன்னார்கள். ' வேண்டுமானால், நீங்கள் பர்மிஷன் வாங்கிக் கொண்டு கனம் பிரதம மந்திரியைப் பார்க்கலாம் ' என்று சொன்னார்கள். அதன் பேரில் நான் மட்டும் தனியாக அரசலூருக்குச் சென்றேன். அப்பொழுது கனம் மந்திரி அவர்கள் வரவில்லை. அப்பொழுது Dy. S. P. ஈரோடில் இருந்தார். ஜன நாயக முறையில் கண்டிப்பாக பார்க்கவேண்டும் ; அதிகமான குறைகள் இருக்கின்றன ; பார்ப்பதற்கு பர்மிஷன் கொடுக்கவேண்டுமென்று கேட்போது தாராபுரம் ஸர்க்கில் இன்ஸ்பெக்டர் என் சட்டையைப் பிடித்து, தர தர வென்று இழுத்துக்கொண்டு போய், ' இங்கே இப்படியே இரு ' என்று உட்கார வைத்துவிட்டார், போலீஸ் ஸ்டேஷனில்."

" அதற்குப் பிறகு, எப்படியாவது பிரதம மந்திரியைப் பார்த்தாக வேண்டும் ; அதிகமான பேர்கள் இருக்கிறார்கள், என்று அவர்களுக்குச் சொன்ன போது, ' போகக்கூடாது ' என்று சொல்லி உட்கார வைத்து விட்டார். அந்த முறையில் இருந்தால், நாங்கள் எப்படி பிரதம மந்திரியைப் பார்த்துச் சொல்ல முடியும் ? அது மட்டுமல்ல."

[Sri N. K. Palaniswami] [20th July 1953]

“ அங்குள்ள விவசாயிகளைக் கூட அந்த வழியாக போகக்கூடா தென்று சொன்னதும், அமைதியான முறையில் விவசாயிகள் தோட்டத் திற்குப் பின்னால் போய், கட்டுச்சாதத்தைச் சாப்பிட்டுக் கொண்டிருந் தார்கள். அந்த வேளையிலே 70, 80 போலீஸ்காரர்கள் துப்பாக்கியுடன் சென்று, அவர்களிடமிருந்த கட்டுச்சாதத்தை மிதித்து, அவர்களை நன்றாக Deputy Superintendent of Police உத்திரவின் பேரில் அடித்தார்கள்..”

MR. SPEAKER :—“ உங்கனையா அடித்தார் ? ”

* SRI N. K. PALANISWAMI :—“ கூட வந்த விவசாயிகளை. அதற்குப் பிறகு நடந்த அசம்பாவிதம் அதிகம். கிராமம் கிராமமாகச் சென்று போலீஸ் செய்த அட்டுழியம் சொல்லி முடியாது. ஒவ்வொரு கிராமத் திலும் விவசாயிகளை. . . .”

MR. SPEAKER :—“ உங்கள் வரைக்கும் பேசுங்கள். Privilege motion உங்களைப் பொறுத்தது.”

10
a.m.

SRI S. RAMALINGAM :—“ I want to speak, Sir.”

MR. SPEAKER :—“ I am not going to allow a debate on this matter.”

SRI PILLALAMARRI VENKATESWARLU :—“ We want a translation of the speech.”

MR. SPEAKER :—“ Order, order. It is not possible for me to arrange for a translation. I cannot do that.”

SRI T. NAGI REDDI :—“ Sir, the Hon. the Chief Minister has made a certain statement which is contradicted by the hon. Member concerned who was on the spot. The point we are now to consider is whether the privilege of the Member has been affected or not. The question for consideration is whether what the Chief Minister stated is correct and his statement is contradicted by the Member concerned. So, we do not know which statement is correct. Therefore, the House must have full facts in its possession to decide whether there is a *prima facie* case or not. Hon. Members must be given some time to discuss the matter as otherwise we will not know the actual facts.”

MR. SPEAKER :—“ I cannot understand this.”

SRI T. NAGI REDDI :—“ You must allow at least ten minutes to the hon. Members to discuss and verify facts.”

MR. SPEAKER :—“ I know the facts. Granting for the sake of argument that what the Chief Minister has stated is not true, I am going to give my ruling on the Motion.”

SRI T. NAGI REDDI :—“ Ultimately you are going to give a ruling and it will be accepted also. That apart, there are certain facts which are placed before the House by the hon. Member that he was detained at the police station. On the other hand, the Chief Minister maintains that he was not arrested or molested. Before we consider whether hon. Members have a right to treat it as an issue of privilege it must be discussed thoroughly so that fuller facts might be known.”

MR. SPEAKER :—“ It cannot be discussed.”

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SRI T. NAGI REDDI :—“ How are the Members to know then whether there is privilege issue involved in it? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I hope that some privilege will be given to me who am concerned with this matter in more than one way. We are now concerned with the Motion of Privilege . . . ”

SRI T. NAGI REDDI :—“ On a point of order . . . ”

MR. SPEAKER :—“ I will allow the hon. Member to speak afterwards.”

THE HON. SRI C. RAJAGOPALACHARI :—“ On a mere claim of point of order we are having an unending series of interruptions.”

SRI T. NAGI REDDI :—“ The Chief Minister has no right to give a ruling.”

MR. SPEAKER :—“ When I have called the Chief Minister, I cannot allow other hon. Members to interrupt him. The Chief Minister has no right to give a ruling.”

THE HON. SRI C. RAJAGOPALACHARI :—“ I cannot do that, I know. It is possible to misunderstand everything and shout about it. The question is whether the Speaker has allowed me to speak or not.”

SRI T. NAGI REDDI :—“ But you are not allowed to give a ruling.”

THE HON. SRI C. RAJAGOPALACHARI :—“ The question is whether the Speaker should check hon. Members or not when he has asked me to speak. It is not open to hon. Members wherever they may be sitting to get up and interrupt unnecessarily. It is quite easy to get a ruling from the Speaker without all this shouting. (Sri T. Nagi Reddi : ‘ Because you gave a ruling ’.) The hon. Member imagines that I have given a ruling. I have made it quite plain that I have not.”

MR. SPEAKER :—“ The Chief Minister cannot give a ruling and he has not given a ruling.”

SRI T. NAGI REDDI :—“ That is what we want.”

THE HON. SRI C. RAJAGOPALACHARI :—“ The Chief Minister has sufficient understanding of the proceedings of the House to know that disturbances should not be allowed and misunderstandings should not be allowed. The Chief Minister does not give a ruling but like Mr. Nagi Reddi, the Chief Minister has at least the right to get up and ask for a ruling. Let me now proceed with the Motion before the House.”

SRI PILLALAMARRI VENKATESWARLU :—“ I have a point of order to raise, Sir. I want a ruling on this. When an hon. Member has made a statement in Tamil which we feel is very important, are we not entitled to a translation of it or at least a

[Sri Pillalamarri Venkateswarlu] [20th July 1953]

gist of it to enable us to know the full facts of the case? The Chief Minister made a statement and that statement is disputed by the Member concerned. The House is entitled to know what the position is and whether the facts given by the Chief Minister or the Member are correct. On the question of privilege, you will give a ruling which we are going to accept. But are we not entitled at least to a gist of the statement made by the hon. Member, if not a translation? The statement is refuted by the Chief Minister that the Member was arrested or detained and the Member in his turn has refuted this statement of the Chief Minister. Therefore, Sir, we want a gist in English of what the hon. Member spoke in Tamil."

MR. SPEAKER :—" I think it is in the letter itself."

SRI V. BALAKRISHNAN :—" Can an hon. Member claim a right of procedure in the House by demanding the translation of another Member's speech? "

MR. SPEAKER :—" I have got the letter with me. He has given facts about the whole case in it."

THE HON. SRI C. RAJAGOPALACHARI :—" May I interrupt a while, Sir? What the hon. Member now wants is a gist of what was now said and not the contents of the letter which is in English. There is no necessity to translate it. The statement he has made in the letter is very different from what he said now."

MR. SPEAKER :—" Who will translate the speech? "

SRI M. KALYANASUNDARAM :—" I shall do it, Sir. The hon. Member, Mr. Palaniswami, with a batch of peasants wanted to see the Chief Minister when he visited Arachalur in Coimbatore district. He reached, with all his followers, the village of Veerappanpalayam which is just three miles from Arachalur where the Chief Minister was staying. As soon as the party reached Veerappanpalayam, a police party came there and prevented Mr. Palaniswami and the party from proceeding further. After a lot of pleading, Mr. Palanisami was allowed to go to Arachalur to get permission for the deputation to reach Arachalur. As soon as he reached Arachalur, without even hearing his representation, the Sub-Inspector of Police who was present there took him to the police station by force and asked him to remain there, thus preventing him from either getting permission to see or for seeing the Chief Minister."

THE HON. SRI C. RAJAGOPALACHARI :—" Is Mr. Kalyanasundaram making another statement of his own? If he is translating what the Member said, then I respectfully submit, the Member did not say this."

SRI M. KALYANASUNDARAM :—" He did say this. May I add a few sentences more? Let the Chief Minister have patience."

THE HON. SRI C. RAJAGOPALACHARI :—" He did not say it. But he ought to have said it." (Laughter.)

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SRI M. KALYANASUNDARAM :—“ I can understand the impatience of the Chief Minister. With due deference to his views, I submit that what I said was a translation of what he said. I am only representing to the House what the hon. Member said. After being detained in the police station, he was allowed to go out only after the Chief Minister left the place. He reached his party then and learnt from the peasants that they were encircled by the police while they were taking their food, their food was destroyed and they were taken to the police station.”

MR. SPEAKER :—“ The hon. Member was not taken. So, that is a different matter.”

SRI M. KALYANASUNDARAM :—“ This is enough for the discussion. May I make a submission on my own behalf? For purposes of privilege, the question is not one of absolute immunity from arrest. Here is a case where a Member wanted to see the Chief Minister along with other representatives of his constituency to make representations on particular matters. Not only he was prevented from seeing the Chief Minister but even without conveying the information to the Chief Minister, the Member was kept in police custody. If that was a wrongful arrest, then the crime is much worse. He was wrongfully and forcibly taken to the police station and detained there for four hours. On the other hand, facts are allowed to be placed before the House by the Chief Minister taking advantage of his privileged position, which are not correct and which are supplied by the Police officials. We have known the ways of our Chief Minister as also his anxiety to uphold the importance of the dog in wagging its tail. He wants to rely on the Police officials' report. But here is the Member who was present there and whose statement must be respected and given preference.”

SRI P. RANGASWAMI REDDIAR :—“ Mr. Speaker, Sir, 10-10
about the arrest of the hon. Member, Sri Palanisami, a detailed a.m.
report appeared in the Tamil Daily, “ Dinamani ” on 19th May or 20th May. From that report I at least understood that the hon. Member was arrested by the police unwarrantedly and under the circumstances which did not warrant any arrest. So far to my knowledge no contradiction has been issued by the Government.

“ Sir, in this connexion I wish to draw the attention of the Hon. Chief Minister to one fact. Invariably the tour programmes of Hon. Ministers are sent in advance to Members of both the Houses and the tour programmes of important Heads of Departments are also sent in advance to all the hon. Members. I would respectfully put the question to the Hon. Chief Minister whether the hon. Members are to be treated like this and terrorized, so to say. That is a very pertinent thing and this is the best occasion when the Hon. Chief Minister may explain the position as to what exactly the Government expect from the hon. Members who get

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advance copies of tour programmes and what exactly the representation the Hon. Chief Minister expects from the hon. Members? Is it not the legitimate right and privilege of hon. Members to meet the Hon. Ministers whenever they tour in their respective constituencies and is it not the right and privilege of hon. Members to seek redress of the grievances of the people then? "

* SRI T. NAGI REDDI :—" One minute, Sir. The first point to be considered here is whether we should take into consideration the facts that have been laid before the House by the hon. Member who, according to his own version, was very high-handedly treated by the executive authority and in a manner in which he was not allowed to see the Hon. Chief Minister when he went to that particular constituency or should we take into consideration on the floor of this House the report sent by an authority of the lower rung who had himself arrested the hon. Member and are we to treat this document which the Hon. Chief Minister has read here as true? I, as an hon. Member of this House, respectfully submit that it is very important for the House to take the version of the hon. Member here as true and reject the version that has been given by the Hon. Chief Minister as the version of an officer who himself is responsible for arresting the particular hon. Member. So, if we are to take that position as correct and proper, then it is certainly the privilege of the Member of this House and then it becomes essential for this House to go into the whole question to consider whether it is not the privilege of the hon. Member to go and speak to the Hon. Chief Minister in his own constituency and lead a deputation to the Hon. Chief Minister whenever he is present in his constituency and whether an executive authority can arrest him without previous information and without an 144 Section Order being promulgated. If that is not taken into consideration by the House, we would be reducing ourselves into a position where no hon. Member will have any protection outside this House. I want, Sir, to tell the Hon. Chief Minister through you that he must at least now take the words of the hon. Member here as facts and take them into consideration and reject the version that has been given to him by the Circle Inspector; if he could take action on that again and place the facts before the House—if he gives that assurance—we may postpone the question of privilege to a later date. If not, my submission is that the Speaker should allow the House to discuss this privilege question and decide the issue."

MR. SPEAKER :—" I am guided by certain principles laid down in May's Parliamentary Practice."

* SRI T. NAGI REDDI :—" Sir, the point is these practices are different according to the circumstances in which they were laid down. The social and political conditions in which they came into existence are different from those here. No Member of Parliament could be mishandled by a Policeman"

MR. SPEAKER :—" M.Ps. are not above law."

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SRI T. NAGI REDDI :—“ That is true, Sir. All the same certain traditions and practices are there to prevent high handed action against M.Ps. and . . . ”

(Interruption from several hon. Members from Opposition Benches.)

MR. SPEAKER :—“ Order. Order. Let me hear the hon. Member Sri Viswanatham.”

SRI T. VISWANATHAM :—“ May I submit, Sir, that the Hon. Chief Minister has made a definite statement in respect of a particular hon. Member and that particular hon. Member here has stated certain other facts which are contradictory. Can we not make a reference to the Privileges Committee.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ May I begin, Sir, at some stage or other? Sir, after 35 minutes, a proposal is made that the question should be adjourned. Instead of making issues . . . (Interruption.) I was only referring to Mr. Nagi Reddi . . . ”

SRI T. NAGI REDDI :—“ Sir, that is not exactly what I said. One should not misrepresent things and there should be decency about what one says . . . ”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, after a lot of irrelevant arguments, we have come down to abuses. (Interruption.) Then, what is the reference to ‘decency’? That apart, let me again ask hon. Members to remember that our duty is to make matters clear and reduce issues to their proper basis, instead of confounding one with another. Here, after so many interruptions, it takes us some time to clear issues. As far as I am concerned, the first point which has to be settled, in my humble opinion, is this. When a motion like this is raised, the first thing to be considered by the Hon. Speaker is whether a *prima facie* case has been made out and that has to be considered before anything else takes place. Now, it is in that process the Hon. Speaker is asking us to assist him in assessing the position.

“ The hon. Member Sri Gopalan, who made the motion began to use this House, so to say, as a platform for a talk on the Constitution itself; he said, ‘ In this Constitution there is no guarantee for hon. Members and their privileges to be extended ’. I have no objection to such a proposal if that is relevant to the matter before us. The hon. Member proceeded to make out—I think it was with a purpose and therefore I should meet it—the hon. Member wanted to make out that our Constitution is not as liberal in respect of the rights of the people as the English Constitution. I maintain, rightly or wrongly, that our Constitution has gone beyond the British Constitution in giving privileges to the people and all privileges to hon. Members also. There is absolutely no ground whatsoever for the assertion on the floor of the House by an hon. Member belonging to the opposite party that our Constitution is less liberal in this regard than the British Constitution.

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As the Hon. Speaker tried to interrupt and acquaint the hon. Member even at the time when Mr. Gopalan was speaking, we were closely following the regulations of the House of Commons with regard to privileges without any change whatsoever. Therefore, his claim that our Constitution is inferior in this respect to the Constitution of Britain is wrong.

“ Secondly, the hon. Member Mr. Gopalan was making a mistake in confounding the question of responsibility of the Executive to the Legislature with the question that is here involved. Capt. Ramsay’s case was referred to by the hon. Member Mr. Gopalan. Capt. Ramsay was, I think, arrested under the Defence of the Realm Act or something like that. If the hon. Member had read the report of the Committee of the House of Commons, he would have seen, even taking the extreme view that the Defence of the Realm Act corresponds to our Preventive Detention Act and even taking that a Member was arrested and detained for no offence and where there would be no trial by Court, it cannot be a question of privilege because the regulations made for such arrests under the Defence of the Realm Act had come to Parliament for consideration and therefore the law that gave power for such detention or arrest being a law made by Parliament, the question of privilege does not apply. That was the position in that case, Sir, and that is exactly the position which should arise here if the question had been made on behalf of a Member when he was arrested under the Preventive Detention Act or otherwise. Here it is no such question. Here the position is totally different. Mr. Gopalan was, I think, considerably handicapped by having a prepared paper with him which did not apply to the present case. After finishing reading, he began to argue. If he read the actual report and spoke on it, the question would be simple. Now, Sir, I have already stated the facts as my information went. (Interruption by Sri P. Venkateswarlu.) Without being interrupted by Sri P. Venkateswarlu, I think I have made a statement of facts. The hon. Member has not made a statement of facts, but began to talk on the question of translation and all that. The hon. Member who made an oral statement here did not keep to the paper that he gave to the Hon. Speaker on the subject. In the paper given to the Hon. Speaker, he definitely said that he was speaking to the D.S.P. but it is found that he was with me escorting me.

SRI T. NAGI REDDI :—“ It was ‘ Dy. S.P. ’ and the difference was only ‘ y ’.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ In the statement he made here, he said, that he was speaking to the Deputy Superintendent. Then ‘ the Police Inspector took him away ’ from such and such a place to such and such a place. The facts are altered in the statement now. It was stated, he was talking to the District Superintendent of Police in the paper that was given to the Hon. Speaker. Now, Sir, we are not going into the merits of the case or the truth of the matter. The question is whether there is a *prima facie* case. (Interruption by Sri T. Nagi Reddi.)

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Don't advise and instruct me. I am able to take care of myself. Sir, we are bound to take the maximum that is stated in a paper in order to discover whether there is a *prima facie* case; whether it is the maximum stated in the paper or maximum on the floor of the House here, it does not make any difference."

SRI T. NAGI REDDI :—" No difference between D.S.P. and Dy.S.P."

* THE HON. SRI C. RAJAGOPALACHARI :—" They have passed all bounds of taking advice from me.

" The question whether we should take the maximum that is put down in the written paper or we should take the maximum that is put down in the oral statement on the floor of the House, it does not matter. Though they are different from one another, I am prepared to take both the maxima. But the question is what is the matter? So far as the other persons are concerned about whom allegations are made and appeals are made that I should have received them or heard depositions and the like, they are totally different matters. I was dealing with it and I have dealt with it to the best of my ability. If the Police had arrested the member, they would have had to make a report to the Hon. Speaker. Now, the person who arrested him, according to the allegation, would have sent a report to the Hon. Speaker, if he had really arrested him. What, as a matter of fact, happened was that he did not arrest him. If that fact has to be gone into, it can be gone into. But that is not the question. If he had been wrongfully arrested as Mr. Kalyanasundaram and others have argued, if he was wrongfully restrained, without being arrested, it is a worse case no doubt. But it was raised as a question of privilege. If a man is wrongfully confined without being arrested giving rise to a prosecution for wrongful confinement, what is the consequence? Is it privilege? No, Sir. If a person is kidnapped, or for instance, an ordinary criminal kidnapped an hon. Member . . . (Sri T. Nagi Reddi : ' The Police Inspector is not a criminal ') Why don't you wait to understand what I say? You don't understand. Certainly you should understand a thing before commenting on it. (Interruption.) You gain nothing and nobody gains by premature comments. It is only ebullition and not a comment. So, Sir, if a crime is committed by anybody against a Member of Parliament or a Member of a Legislative Assembly, it gives rise to certain other consequences. It is only when arrest takes place that this privilege motion comes in. When a crime is committed, other consequences come in. Therefore it was that I mentioned that the hon. Member made no complaint to the local Magistrate or the Court on the subject till now. If a complaint had been made to the Magistrate, if the matter had been taken to a Court, we would have had an enquiry. Therefore it is wrong . . . (Sri T. Nagi Reddi : ' He forgot. ') I say it is only childish talk and nothing else. (Interruption by Sri T. Nagi Reddi.) "

MR. SPEAKER :—" The hon. Member should not disturb the Chief Minister."

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* THE HON. SRI C. RAJAGOPALACHARI :—“ If a person is arrested or imprisoned in the proper way, the only duty cast upon the Executive according to rules and conventions of privilege as reduced finally is that the case should be reported to the Hon. Speaker here or the Hon. Speaker in Parliament and there is nothing else. If such a thing is not made, but a graver offence is committed by arresting a person without any record of it, then a complaint should be made to the local Magistrate or to the Court. No such complaint was made for so long a time. On the technical aspect alone, I say, if no complaint was made, then no case of privilege arises now. The question therefore is very simple whether we should take reports published in newspapers. For instance, the hon. Member Sri P. Rangasamy Reddiar who claimed a special right to speak on this subject referred to the report published in *Dinamani*. What appears in a newspaper really is a report from a correspondent recast in the editorial office. The report is from its correspondent who gets information from those who had some information on the subject. I submit, Sir, we should not go down so far as that to get at facts. There are cases where a report in a newspaper is relevant in its own way (?). Here we cannot get at facts from a report from *Dinamani*. The hon. Member Mr. Gopalan who made a statement did not say anything which would give rise to a claim for privilege. I submit therefore that there is no *prima facie* case and there is no case for enquiry too.”

10-30 a.m. SRI N. K. PALANISAMI :—“ I have already submitted my memorandum to the Hon. Chief Minister. I do not know in what language I had to submit the same to you, Sir. Therefore I submitted it to the Chief Minister.”

MR. SPEAKER :—“ The hon. Member says he has already reported to the Chief Minister.”

SRI M. KALYANASUNDARAM :—“ The Hon. Chief Minister had observed that even granting that this was a wrongful confinement, the hon. Member concerned could have reported about that wrongful confinement to the courts. That is not the issue at present. We are concerned with the privilege of hon. Members. The Chief Minister says that this wrongful confinement does not amount to a breach of privilege. I say it certainly amounts to that only. The hon. Member is an elected Member of this House. He wanted to represent to the Chief Minister about an important thing concerning the people of his constituency. That formed part of his duty as an M.L.A. He was prevented from doing so by the police. As such he could not attend to his work. That amounts to curbing his right to represent his case to the Hon. Chief Minister as an M.L.A. Therefore, I submit, Sir, this amounts certainly to a breach of privilege of the hon. Member as an M.L.A. and as such of the whole House.”

MR. SPEAKER :—“ At the outset let me inform the House that we, the Members of this House enjoy the same privileges that

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are enjoyed by the Members of the House of Commons, nothing more and nothing less. We cannot create new privileges. In the House of Commons also they cannot create new privileges. They cannot create new privileges not warranted by the known laws and customs of Parliament. Sri K. P. Gopalan wants to create here new privileges. Let me now quote from our own Constitution for the benefit of hon. Members to show that we enjoy the same privileges as Members of the House of Commons.

“Article 194, sub-clause (3) of our Constitution says :

‘In other respects the powers, privileges and immunities of a House of the Legislature of a State, and of the members and committees of a House of such Legislature, shall be such as may from time to time be defined by the Legislature by law, and until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom.’”

SRI M. KALYANASUNDARAM :—“We are not claiming new privileges, Sir.”

MR. SPEAKER :—“The hon. Member Sri K. P. Gopalan wants us to create some new privileges. In fact, he has said so in his speech.

“Let me read for the benefit of hon. Members, the ruling given by the Hon. Speaker in the House of Commons on December 9, 1946. It is as follows :

‘That the assaulting, insulting or menacing any Member of this House, in his coming to or going from the House, or upon the account of his behaviour in Parliament, is a high infringement of the privilege of this House, a most outrageous and dangerous violation of the rights of Parliament, and a high crime and misdemeanour.’

“So only if an hon. Member of the House is molested, assaulted or menaced while he is *coming into* the House or *going out* of the House, it constitutes a breach of privilege.”

AN HON. MEMBER :—“Is it only this House, Sir?”

MR. SPEAKER :—“Not only this House, but in our own Parliament, also. Let me now read the portion from May’s Parliamentary Practice under the head ‘Privilege of Freedom from Arrest not claimed in respect of criminal offences or Statutory detention.’

‘The privilege of freedom from arrest is limited to civil causes and has not been allowed to interfere with the administration of criminal justice or emergency legislation.’”

SRI M. KALYANASUNDARAM :—“This is not a criminal offence, Sir. It is wrongful detention.”

MR. SPEAKER :—“Let me finish. When the Chair is on its legs, hon. Members should not stand.

‘In early times the distinction between “civil” and “criminal” was not clearly expressed. It was only to cases of “treason, felony and breach (or surety) of the peace” that privilege was explicitly held not to apply. A review of the development of the privilege reveals a tendency to confine it more narrowly to cases of a civil character and to exclude not only every kind of criminal case, but also cases, which while not strictly criminal, partake more of a criminal than civil character. This development is in conformity with the principle laid down by the Commons in a conference with the Lords in 1641.’

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“Let me read what they have laid down. It is as follows :

‘Privilege of Parliament is granted in regard of the service of the Commonwealth and is not to be used to the danger of the Commonwealth.’

On another occasion in 1831 the Committee of Privileges of the House of Commons have observed thus :

‘Privilege is not claimable for any indictable offence’.”

“So far I had dealt with the rulings in the House of Commons. Let me now come to our own country. I shall refer to the report of the Committee of Privileges of the Hyderabad Legislative Assembly regarding the case of Shrimati Arutla Kamaladevi. The case rose because of Shrimati Arutla Kamaladevi, M.L.A. complaining on 31st May 1952 to the Hon. Speaker of the Hyderabad Legislative Assembly about the detention of herself along with seven of her comrades in the car for five hours on 27th May 1952 at Kandrapole Police Camp, while the said party was returning from Wadapalli after addressing a public meeting. This was referred to the Committee of Privileges. I shall read the findings of the Committee of Privileges.

‘The House was not in session on 27th May 1952 and Shrimati Arutla Kamaladevi was neither going to the Assembly nor coming from the Assembly. As such this privilege also cannot be claimed by her.’

“I am now going to give my ruling on the privilege motion of Sri K. P. Gopalan. I rule that no *prima facie* has been made out constituting a breach of privilege.

“We shall now pass on to the next item on the Agenda.”

IV.—GOVERNMENT BILL.

THE ANDHRA STATE BILL, 1953—*cont.*

SRI M. HANUMANTHA RAO :—“On a point of information, Sir. I had given notice of two adjournment motions. It may be taken up now.”

MR. SPEAKER :—“The time is now 10-30 a.m. I know the hon. Member had given notice of two adjournment motions. Not only he. Mr. Krishna Rao also had given notice of an adjournment motion. I shall take all of them tomorrow.”

SRI T. NAGI REDDI :—“Sir, one of the adjournment motions given notice of by Mr. Hanumantha Rao refers to the ‘auctions’. It is a very important matter. The auctions are going to be held to-day and thousands of people would be deprived of their lands thereby. So I submit that the same may be discussed to-day itself, and not tomorrow when the auctions would have come to an end.”

* THE HON. SRI C. RAJAGOPALACHARI :—“With regard to the plea that had just been raised, let me say a few words. I am not going to enter into the legalities involved in the matter. I am only asking them to consider this. The adjournment motion refers to the ‘auctions’ that are going to take place to-day. Let

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me tell hon. Members that an auction that is going to be held to-day cannot be or will not be automatically postponed or stopped because an adjournment motion has been brought in here. If the auction is to be stopped or postponed, that has to be done by the Executive. It is a matter for the Government."

MR. SPEAKER:—"Apart from that, let me tell hon. Members that Sri Anantasayanam Ayyangar, Deputy Speaker of the House of the People, told me the other day when he was here that in Parliament they would admit adjournment motions only if they were given half an hour before the commencement of the sitting. Hardly five minutes before the commencement of the House to-day the adjournment motion had come to my hands. That is why I say this. I am not disallowing it. Without waiving its urgency, I shall take it up tomorrow."

SRI C. V. K. RAO:—"It is a pity, Sir, that a point of order does not get a precedence over other things." 10-40 a.m.

MR. SPEAKER:—"So many members rise in their seats; they should wait for the Speaker to call one of them."

SRI N. K. PALANISWAMI:—"It is a warning to all hon. Members that they should not oppose the Hon. the Chief Minister when he attempts . . ."

(Many hon. Members were seen rising in their places.)

MR. SPEAKER:—"The Speaker is on his legs and all hon. Members will please resume their seats. We shall proceed to the next business, the Andhra Bill."

(Sri Pillalamarri Venkateswarlu rose.)

MR. SPEAKER:—"I am not going to allow any point of order. If there is anything of importance, I suggest to the hon. Member to see me in my Chamber."

SRI PILLALAMARRI VENKATESWARLU:—"I wish to bring to the notice of the Speaker an irregularity of procedure and that is why I am raising a point of order. Just now an amendment was distributed to us and I want to point out to you, Sir, that it is out of order."

MR. SPEAKER:—"Could he not have waited for raising that point until that clause was reached? When that particular clause to which the amendment is proposed to be moved comes up for consideration, he could make this observation and bring it to my notice."

SRI PILLALAMARRI VENKATESWARLU:—"I shall presently explain my difficulty, Sir."

MR. SPEAKER:—"He need not do it now; it is enough if he explains it at the time when the clause is taken up and the amendment is proposed."

"We are now in clause 19."

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DR. K. B. MENON :—" I am afraid, Sir, the Communist Members have monopolized the Hon. Speaker's attention. I have been standing for half an hour to catch the eye of the Speaker."

MR. SPEAKER :—" But the hon. Member should not be standing when the Chair is on its legs. I am afraid he had no business to be standing like that and that too when I told the House at the time that we would be resuming consideration of the Andhra Bill."

DR. K. B. MENON :—" I wish to bring to your notice, Sir, that aggression seems to win and others seem to be ignored. I wished to raise a point of information. The report on the Ramsay case was circulated in the House and I wanted to know, Sir, whether it was circulated among the Members only for their information or . . ."

MR. SPEAKER :—" If the hon. Member wants any information, he is at perfect liberty to come to my Chamber and I am prepared to give him all the information that he wants."

DR. K. B. MENON :—" But I submit to you, Sir, that this is not a point of order."

MR. SPEAKER :—" It applies to both points of order and information."

* THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Speaker, Sir, I entirely agree; our experience has been that the phrase 'point of order' has been used by hon. Members in a way it ought not to be done and what happens is that the Chair and the House do not really have any point of order before them. Therefore, hereafter, I would beg of all hon. Members to raise points of order only when there is a real point of order; otherwise it loses its importance and its meaning."

DR. K. B. MENON :—" I am sorry, Sir, that the comment has been made without hearing me."

MR. SPEAKER :—" Sri Kalyanasundaram."

SRI M. KALYANASUNDARAM :—" Mr. Speaker, Sir, I move only amendment No. 65 standing in my name. I am not pressing amendment No. 66. I move :

'65. This House recommends to the Parliament of India that clauses 19, 20 and 21 of the Andhra State Bill, 1953, be deleted and a simple section substituted which will provide for the abolition of the Legislative Council in both the Madras and Andhra States.'"

The amendment was duly seconded.

SRI N. K. PALANISWAMI :—" Sir, I move, the following amendment :—

'67. This Assembly is of the view that there is no need for the Legislative Council to the Residuary State of Madras and resolves that it be abolished.'"

The amendment was duly seconded.

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SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker I move the following amendment :—

' 68. For clauses 19 to 22, substitute the following :—

" There will be no Legislative Council to the Madras, Mysore or Andhra State." "

The amendment was duly seconded.

* SRI M. KALYANASUNDARAM :—" Mr. Speaker, Sir, the Opposition has, from the very beginning, been saying that it is against the extravagance of an Upper House. The reasons are well-known. The Upper House so far as this State is concerned does not function usefully and that is our experience of its working for the past one year. This House passed several Bills and they have all gone there. I do not deny the fact that there are experienced people and mature statesmen in the Upper House. I do not mean any disrespect to them but what is it that experience has shown? Have they made any useful amendments in respect of any measure that had been passed by this House and have they referred back any measure to this House for re-consideration? No, Sir, and so, why should we be called upon to maintain it? I hear the Chief Minister saying that it is due to the efforts of the Government that any Bill has not been referred back for re-consideration by this House. Then, Sir, it is a negation of the principle of democracy. If that House really wanted, it could have been referred to this House without interference from the Government. My point for abolition of the House, I am glad, is justified by what the Hon. the Chief Minister has stated. Without making any elaborate speech, I move for the consideration of the House the proposition that the Upper House be abolished because it is not necessary. I know, Sir, it is open to us to take up this question in the ordinary course. But here is an opportunity to give expression to our views in the matter because all the resolutions given notice of to this measure are only by way of resolutions to ventilate our views and now that an opportunity has been afforded we stick to the pledge we have given to the people. We say that so far as the residuary State is concerned, the Upper House should be abolished."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, Sir, I have moved an amendment to the effect that— 10-50 a.m.

' There should be no Legislative Council to the Madras, Mysore or Andhra State.'

My point is this. If we go through the Constitution of India we find that no power is given to the Council except to ratify any Bill (except a money Bill) which is passed by the Assembly. It is only creating a wheel within the wheel and a waste of public money. The Prime Minister of India and the Congress from the very beginning have declared that there must be no second or upper Chamber. The Hon. the Chief Minister says that this is a question of politics. Some people may say that there are intellectuals, there are genius people and there are super-human beings and they can be nominated by the Governor to the Council. No doubt, the Constitution provides that the members to be so

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nominated shall be persons who have special knowledge or practical experience. But we actually see that nomination is made not with reference to the merit of the person but more with reference to politics. The persons who have been nominated in Madras are out and out politicians and not selected as they are experts having special knowledge or experience in any of the subjects mentioned in the Constitution. Assemblies are the *de facto* Legislatures and not the Councils. The Councils were created in those old days with a view to create obstacles in the progressive legislation of the House. Pandit Nehru, when announcing the formation of the Andhra State, said that there would be no second Chamber in the new Andhra State. We thank him for this wise decision. But we feel sorry to note that Pandit Jawaharlal Nehru out of pressure has allowed the second Chamber in the residuary Madras State. I do not know whether it is to enable the Hon. Sri C. Rajagopalachari to continue in the Cabinet. Otherwise he may not be in the Cabinet of the residuary Madras State. I have the least objection to have the Hon. Sri C. Rajagopalachari or any other as the Chief Minister in the residuary Madras State where I have no concern at all. But when there is no Council for the new Andhra State, I think there need be no Council for the residuary Madras State also. So far as Part B States are concerned, only the Mysore State has got a Council. I do not know why Mysore is given a special facility in this regard. Now my proposal is that when we are amending the Constitution as far as the Madras, Andhra and Mysore States are concerned and when we are bringing in so many amendments, I think this is the proper time to put an end to the necessity for a Legislative Council in the Mysore State also. I hope that the Central Government and the Members of Parliament will take this opportunity to abolish the Legislative Councils in all the States. Now, I want to mention one thing about the Council of States. Pandit Jawaharlal Nehru in his statement in Parliament when there was a conflict between the two Houses of Parliament, that is the House of the People and the Council of States, said 'In British Parliament it was an evolution of Parliamentary procedure that made the House of Commons more powerful and the House of Lords merely a puppet'. Why then it is that in respect of some of the States the Councils are being allowed to continue? The Constitution of India provides for two Houses in the Union Parliament. My submission is that there is no need for a Second Chamber even in the Centre. I therefore wish to make a recommendation through this House to the Government of India that they may abolish the Council of States at the Centre also. We are thankful to Mr. Nehru for having announced that there will be no Council in the new Andhra State. In spite of that announcement some people went to Delhi and tried to bring back the Council. But now the Delimitation Commission has allotted 196 seats to the new Andhra Legislature. The argument of the people who wanted to retain the Council was that the number of seats allotted to the Andhra Legislature was small when compared to the population of two crores of Andhras. Now that the Delimitation Commis-

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sion has increased the number of seats, I feel that there need be no Legislative Council in the Andhra Legislature. I make an appeal to the Members of this Assembly as well as to the Members of Parliament to put an end to the Councils in all the States. The time has come when there should be no second Chamber. A unicameral Chamber will do to look after all things."

SRI P. VENKATESHA SHOLAGAR:—"கனம் சபாநாயகர் அவர்களே, இப்பொழுது லெஜிஸ்லேடிவ் கவுன்ஸில் இருப்பதன் காரணமாக ஜனங்களால் விரும்பப் படாதவர்கள் எல்லாம், ஜனங்களின் நன்மதிப்பைப் பெருதவர்கள் எல்லாம் நேரடியாக மக்கள் மத்தியில் சென்று நாங்கள் உங்களுக்காக இந்தக் காரியத்தைச் செய்கிறோம், இந்த நன்மையைச் செய்கிறோம் என்று வோட்டு வாங்கி வராமலேயே கொல்லைப்பறி வழியாக உள்ளே நுழைவதற்கு ஒரு சந்தர்ப்பம் இருக்கிறது. மேலும் இந்த நாட்டில் பல அபிவிருத்திகளைச் செய்ய வேண்டும், மக்களின் நன்மைக்காக இந்தந்த செளகர்யங்களைச் செய்யவேண்டுமென்று கனம் அங்கத்தினர்கள் கோரும் போது பணம் இல்லை, நிதி நிலைமை மோசமாக இருக்கிறதென்று கூறிக் கொண்டிருக்கும்பொழுது, இந்த மேல் சபையை எடுத்து விட்டால் தற்பொழுது ஏராளமாகச் செலவாகிக் கொண்டிருக்கும் பணம் நிறைய மிச்சமாகுமென்று நான் தெரிவிக்க விரும்புகிறேன். மேலும் தற்பொழுது சபையின் விவாதத்தில் இருந்து கொண்டிருக்கும் ஆந்திரா பில்லில் ஆந்திர மாகாணத்திற்கு மேல் சபை இல்லையென்று கண்டிருக்கிறது. அதேமாதிரியாக நம் மாகாணத்திற்கும் மேல்சபை வேண்டியதில்லையென்பது தான் எனது அபிப்பிராயம். மேல்சபை இருப்பதன் காரணமாகத்தான் மக்களின் வோட்டைப்பெறுது, மக்களின் நன்மதிப்பைப்பெறுது, உண்மையில் அவர்களால் வெறுக்கப்படுகிறவர்கள் பதவிக்கு வந்துவிடுவதற்குவழி இருக்கிறது. பதவிக்கு வந்தபின் அவர்களது சட்ட நுணுக்க அறிவைக் காட்டியும், சாணக் கிய முறையைக் கையாண்டு மக்களின் வோட்டுக்களைப் பெற்று வந்திருக்கிற அங்கத்தினர்களை அலட்சியம் செய்வதொடு மக்களுக்கு உண்மையான நலன்களைச் செய்வதற்கு முட்டுக் கட்டையாக இருக்கிறார்கள். ஆகவே மக்களின் ஆக்கவேலைகளைச் செய்வதற்கும், நாட்டின் பொருளாதார நெருக்கடியைப் போக்கடிப்பதற்கும் மேல்சபை இருப்பதே அவசியமில்லை. ஆகவே மேல் சபையை எடுத்துவிடவேண்டுமென்ற திருத்தத்தை நான் ஆமோதிக்கிறேன்."

MR. SPEAKER:—"I wish to suggest that the House may take up the amendments to clauses 20 and 21 also along with the amendments to clause 19, because all the three clauses are about the Legislative Council."

SRI T. VISWANATHAM:—"If the question whether the residuary State should have a Legislative Council or not is disposed of, I think the amendments to the other two clauses can be disposed of easily. Otherwise there will be a lot of discussion."

MR. SPEAKER:—"We are now dealing with the amendments to clause 19. I think it will simplify matters if we take up the amendments to clauses 20 and 21 also along with the amendments to clause 19."

SRI T. VISWANATHAM:—"I leave it to your discretion, Sir. If the amendments to all the three clauses are taken together, I think my amendment to the Fourth Schedule can also be taken up along with them."

SRI VAVILALA GOPALAKRISHNAIAH:—"My amendment to the Fourth Schedule also can be taken up along with these amendments."

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The following amendments were duly moved and seconded :—

Clauses 20 and 21 and the Third and Fourth Schedules.

SRI M. KALYANASUNDARAM—

“ 70 *Delete* clauses 20 and 21, and the Third Schedule and the Fourth Schedule and *renumber* accordingly.”

Clause 21.

Sub-clause (1).

SRI B. KRISHNAMOORTHY ROW—

“ 71 This House strongly recommends that there shall be a Legislative Council for the Andhra State and provision shall be made by Parliament in the Andhra State Bill for the constitution thereof under such directions as the President may make and issue in this behalf.”

SRI P. VENKATASWAMI REDDI—

“ 72 This House resolves that there shall be a Legislative Council for the Andhra State consisting of not less than forty seats of which the sitting members of the Madras State Legislative Council representing the Andhra area therein and such further or other members to make up the said number by election by the Andhra Legislative Assembly and by nomination by the Governor of the Andhra State under such directions as the President may make in this behalf.”

SRI N. GOPALA MENON—

“ 73 (i) *Add* as proviso to sub-clause (1), the following :—

‘ Provided, however, that the sitting members of the Legislative Council of Madras who have been elected by the members of the Legislative Assembly of Madras shall continue to be members of the Legislative Council of Madras ’; and

(ii) That the Fourth Schedule be amended accordingly.”

SRI T. VISWANATHAM—

“ 172 This House recommends that provision be made to amend list (d) of the Fourth Schedule so as to include the names of Sri B. V. Subrahmanyam, Sri Md. Raza Khan and other members of the Council, who have long residence, vocational and voting interests in the Residuary State only and make consequential amendments to the schedule and clauses.”

SRI VAVILALA GOPALAKRISHNAIAH—

“ 173 (d) *Add* ‘ 37 (a) S. Srinivasa Rao ’.”

* **SRI N. GOPALA MENON :—**“ Sir, the amendment moved by the hon. Member Sri Vavilala Gopalakrishnaiah is to the effect that the Legislative Councils in the Madras, Mysore and Andhra States should be abolished. The Legislative Assemblies consist of directly elected representatives. If we want to abolish all kinds of indirect election, it may not perhaps be altogether

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good. There are some very good points in favour of having a small Second Chamber. Ordinarily we find that the very best men in our country, scholars, scientists and men of that type, find themselves incompetent to contest big elections and so they keep aloof from elections. The technique of moving the masses for getting elected is altogether foreign to the habits and bent of mind of such people. If we want the advice of people of that type, it is necessary that provision should be made for a Second Chamber consisting of members elected by the representatives of the people and also by constituencies like the Graduates' Constituency. If there are in the opinion of the Governor of the State some persons who by virtue of their age, experience and knowledge of men and affairs deserve to be members of the Council, they should also be nominated. I think the provision made in the Constitution for the formation of a Legislative Council in the major States is a salutary one. It is not necessary that the Legislative Council should show its authority by turning down the Bills and other legislative matters that are sent to it for discussion and approval. That is not the real test. The test is really the discussion that takes place in the Legislative Council on the several matters that are placed before it. The expenditure to the Government on account of the retention of the Legislative Council is really a negligible factor. In some States we have something like a Privy Council where the elder statesmen are gathered and asked to express their opinion on major administrative problems. Such a body is not unknown in many countries. In fact, whenever there is trouble in the country, what the ruler of the country does is to get together men who have great experience and leading men of the country who may not be members of elected bodies, ascertain their opinion and act according to it. The object of having a Legislative Council is more or less similar. Hon. Members opposite should not look at the question purely from the point of view of the expenditure to which the State is put to in having a Legislative Council with a few members. If we go through the proceedings of the Legislative Council in some of the States and of the Council of States in the Centre, we find a great deal of light is thrown on matters discussed there. In the first place, the Members there consider the subjects very dispassionately. Although there is the dictum of Burke, yet ordinary an elected Member of the Legislative Assembly has got to consult the opinion of his constituency and act according to it. A Member of the Legislative Council or the Council of States does not have that important impediment. He can consider all matters objectively and dispassionately and give his view on the matters placed before him. That will not finally be binding on the people. It is taken more or less as a sort of advice. From that point of view, I think that it is not desirable to abolish the Legislative Council in Madras. There is no question of Legislative Council in the Andhra State. The amendment that I have given notice of relates to the Legislative Council of the residuary State. The Legislative Council is composed of 24 Members who are elected by the Members of the Assembly. When we elected these 24 Members to the Legislative

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Council, we never had in our minds the question whether the Members belonged to the Andhra State or to any other State. They were elected because the Members of the Assembly thought that they were fit persons to participate in the discussions of the Council and give advice. Therefore, they were elected as Members of the Council. Now merely because some of them happen to be Members belonging to districts which will form part of the Andhra State, it may not be quite fair to take them out of the Madras Legislative Council. There are only very few of them, and because they have all been elected by the Members of this Assembly, I would like that they still continue to be Members of the Legislative Council. There are some excellent men among them also. After the formation of the Andhra State, there will be time enough to consider whether the number of the Members of the Legislative Council should be decreased or not. That is why, Sir, I move my amendment. Any removal or deletion from the list of any particular Member, merely because he belongs to Andhra district, would be more or less arbitrary. The Assembly Members are having their own Andhra State. If the Andhra State is going to have a Council, it can certainly adopt these Council Members. But it is not fair that these Members whom we have elected should be left in suspense. The Andhra State is not able to take them because there is no Legislative Council. The residuary Madras State is rejecting them not because they were not elected by all the Members of the Assembly but because they happen to have their residence in Andhra. What is the criterion that prompted the Members to elect them is a question that has to be answered. So far as I am concerned, I can say that the place a particular person occupied or the district where he was living in, was never in the minds of many of the Members of the Legislative Assembly when they voted for those Legislative Council Members. Therefore, as I said earlier, the deletion from the list of particular Members would rather be arbitrary. In fairness let us have the Members whom we have elected irrespective of the places where they reside."

SRI B. KRISHNAMOORTHY ROW :—“అధ్యక్షా సూత్రంగా విర్వడు బోధించునట్లు ఆంధ్రరాష్ట్రంలో ఎగువ శాసన సభ ఉండకూడదని కేంద్ర ప్రభుత్వమువారు నిర్ణయించారు. ఆ నిర్ణయాన్ని ఈ బిల్లు ద్వారా ఈ సభ అభిప్రాయంకొరకు పంపించి యున్నారు. ఈ విషయంలో కేంద్ర ప్రభుత్వమువారి ముఖ్య దృశ్యము దేశములో ఏరాష్ట్రములలోనూ ఎగువ శాసన సభలు ఉండకూడదని, ఎగువ శాసన సభలవల్ల అంతేమీ ప్రయోజనములేదని విశదమగుచున్నది. కాని ఈ నాడు దేశమంతటా, అన్ని రాష్ట్రములలోను ఎగువ శాసన సభలు ఉంటున్నవి. అయితే విడిబోధించుటకుంటే ఆంధ్రరాష్ట్రానికి మూతం ఎగువ శాసన సభలేకుండా, పరిశుద్ధ మద్రాసు రాష్ట్రానికి ఎగువ శాసన సభ ఉండుతున్నారు. అయితే, ఆంధ్ర రాష్ట్రమునకు, ఎగువశాసన సభ లేకుండా చేసినారు గనుక, మద్రాసు రాష్ట్రానికి కూడ ఉండకూడదని నా అభిప్రాయము కాదు. ఈ నాడు మేముసూత్ర రాష్ట్రాన్ని సంపాదించుకొన్నాము. ఇటువంటి సమయమున, చాలామంది విజ్ఞానవంతులు, సాంకేతిక నిపుణులు, రాజకీయవేత్తలు ఆంధ్ర రాష్ట్ర నాకను చక్కగా నడపడానికి అవసర మనేటటువంటి విషయం అక్కడ కేంద్ర ప్రభుత్వానికిని, ఇక్కడ ఉన్నటువంటి శాసన సభ్యులందరికీనీ, తెలిసినటువంటి విషయమే గనుక, దేశమంతటా,

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ముత్తంగా అన్ని రాష్ట్రాల్లోను ఎగువ శాసన సభలను రద్దుచేయసంతవరకు మా ఆంధ్ర రాష్ట్రానికికూడ ఎగువ శాసన సభను ఉంచవలెనని నేను కేంద్ర ప్రభుత్వాన్ని కోరుచున్నాను. శాసన సభలో ఉన్నటువంటి సంఖ్యలో నాలుగవ వంతు మంది కనీసము 40 మంది సభ్యులు ఎగువ శాసన సభలో ఉండవలెనని ఒక నియమాన్ని రాజ్యాంగ చట్టములో సూచించియున్నారు. అవిధంగా రాజ్యాంగ నిర్ణయ చట్టములో సూచించినట్లుగా, 40 మందికూడ ఉండడానికి వీలులేకుండా ఉండే మైసూరు రాష్ట్రములోకూడ ఎగువ శాసన సభ ఈ నాటికికూడ అమలులో ఉన్నది. దానిని వివిధంగా మార్చడానికి కేంద్ర ప్రభుత్వం ఇష్టపడడంలేదు. కాని ఆంధ్ర రాష్ట్రానికి మాత్రము ఇటువంటి ప్రత్యేక నిర్ణయం చేయడం ఆంధ్రజాతికే ఒక చెబ్బు అని తెలుసుకొన్నాను. అంతర్జాతీయంగా తీసుకొంటే, న్యూయార్కులో దిగువ శాసన సభలో మారుమంది సభ్యులు ఉన్నప్పుడు, 56 మంది కాన్స్టిట్యూట్ సభ్యులు ఉంటున్నారు. వెనిస్ వేనియాలూ 208 మంది దిగువ శాసన సభలోను, 50 మంది ఎగువ శాసన సభలోను ఉంటున్నారు. తరువాత శెలిగర్షియాలూ 80 మంది దిగువ శాసన సభలోను, 40 మంది ఎగువ శాసన సభలో ఉంటున్నారు. అంతర్జాతీయంగా, శాసన సభలు ఆ విధంగా ఉంటున్నవి. ఇక రాష్ట్రముయొక్క పిస్టర్లం తీసుకొన్నట్లైతే విశాలాంధ్రయొక్క పిస్టర్లం 1,35,000 ఎకరాలున్నూ, జనాభ 93½ కోట్లున్నూ ఉంటున్నవి. ఈ నాడు డిలిమిటేషన్ ప్రకారంగా 146 మంది శాసన సభ్యులతో ఆంధ్ర రాష్ట్రము ఏర్పడబోతున్నది. కనుక ఈ విషయాన్ని తీసికూడ పరిశీలించి కనీసం అన్ని రాష్ట్రములలోను ఎగువ శాసన సభలు రద్దుచేయసంతవరకు ఆంధ్ర రాష్ట్రములోకూడ ఎగువ శాసన సభ ఉంచడం ఉత్తమమని, అది రాష్ట్ర భవిష్యత్తుకు కూడ మంచిని నాదృశ్యము కనుక ఆంధ్ర రాష్ట్రములో ఎగువ శాసన సభ ఉంచవలెనని కేంద్ర ప్రభుత్వమును కోరుచున్నాను."

* SRI K. KRISHNA RAO :—" Sir, the Andhra State is going to be formed, and we are to recommend whether there ought to be a Legislative Council for Andhra or whether we are to have merely the Assembly and not the Council. We have been seeing the work of these Councils for a number of years. We know that the argument generally is that the Assemblies consist of persons who do not have brains, that the brains are monopolised only by the persons in the Council, and that in the Assembly they have got more the dirt of the people with whom they are mingling and by whom they are elected. I would say it is a cynical and misanthropic philosophy which has been dumped upon us here. A man grows wise by having more contact with the people, and the dirtier he is the more intelligent will he be. The fact is that when we read the proceedings of the Council, we find that many of the speeches are absolutely unrelated to the realities of life in India. They may be wanderings in the clouds; they may be the musings of a heated brain of a college professor, but realities of life they have no relation to. The grievances of the people they do not contain, and the real aspirations of the people they never voice forth. That is why I say the Council, as we see it, is designed to be a relic of the old people who said, 'It is all the mind that matters and matter is nothing. It is only the man who thinks that matters and not the man who works.' It is unfortunately that kind of contradiction between the man who works and the man who thinks that has been going very far with the result that our sciences and arts have become divorced with the

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reality of art or substance. We find that these Councils are actually made use of only as propaganda machines for the Ministry. In fact, we already find that even the Assemblies, as we see to-day, are sought to be made use of by the Ministry to be their tools. So, I do not think that we should allow this kind of thing to proceed. We do not want toys which are to be misnamed Councils. They are mere toys and show-rooms where people with fossilised brains and ideas simply brag out certain things which have no relation to reality and which have the unique merit of supporting fossilised politicians and outmoded ideas and supporting a Ministry which cannot have the support of the people or of the various strata of the people. That is why I say these Councils are merely ornaments. They have long ceased to serve the purpose for which they were intended. They might have been good enough in the era of feudalism when people said, 'One must be born a Lord to be wise.' Nowadays those are outmoded ideas and we find that these people are really fit for the museum and they have no longer any place in politics. We do not want show-things in a museum to be kept in a place called the Council and invested with only one authority, the authority of blocking all progressive legislations, and talking stuff which is high-sounding but has no substance and is unrelated to realities. This Council leads also to another danger, I would say. Unfortunately, on account of the existence of the Council in the Madras State, we have here the Chief Minister giving the touch of the old and the reactionary to everything progressive. We have here a fossilised politician who has always been afraid of the people. In 1937 he went about with the University graduates. He thought that the people were very dirty and that he should not touch them. He again came as a Chief Minister and it was facilitated by the existence of the Council. We do not want people to come by the back door into the Ministry and continue to block our progress, the progress of India towards liberation and the enjoyment of a full life. We have seen in many of the countries where there are Second Chambers that they are intended only to do one thing and that is to bring about interminable talk and verbiage and confuse every issue and not give a reality of the picture as it obtains. I would request this Assembly 'Please do not keep over a new State, over a democratic Andhra, an "old man of the sea" and see that it is sunk under the sea. Please see that we do not have an old man of the sea over our shoulders to block all our progress.' We do not want these Councils. We have seen enough of them. Many of the people in the Council have arrogated to themselves the right of giving sage advice even to us, persons who keep a live contact with the people. They want to give sage advice to us not to keep any contact with the people. Sir, the days of the Council are gone, and to ask that the Andhra Legislature should consist of a Council is to ask that we should go back to the Stone Age. It is not in any way a progressive or modern thing. Therefore, I oppose the amendment which says that there should be a Legislative Council in the Andhra State, and support the amendment which says that there should be no Legislative Council either in Madras or in Mysore or in Andhra."

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* SRI G. NAGABHUSHANAM :—“ Mr. Speaker, Sir, the hon. Members who have spoken against the creation of a Second Chamber are really those who are speaking against human experience. In all democracies in the world, generally we have got Second Chambers, consisting of not tools, not show-rooms, not people intended for propaganda, but people who are eminent and wise. Who can say that the Hon. Sri Rajagopalachari and Sri Prakasam who are sitting here are intended to be tools of propaganda? They are the best men of our country who are doing the greatest service to the people. People who think that the Second Chamber is intended to be a show-room are not speaking the truth. They are all people belonging to the Communist Party, who have no faith in freedom of speech and whose Soviet Supreme Council that met recently simply passed all the resolutions placed by the Soviet Cabinet before the Supreme Soviet Assembly. There the resolutions are simply passed. Therefore, they are carrying with them the same experience and the same outlook into the democratic Legislature here and judging the same from that point of view. No doubt, our Prime Minister has said that the Andhra State should not have a Second Chamber. I submit it is only a tentative arrangement due to financial difficulty. Therefore, it should not be held that a Second Chamber is not necessary. It may not be necessary now, but taking the broad principle and human experience into consideration, I submit the Second Chamber is necessary for Andhra Desa for a population of nearly two crores. We want the co-operation of the older generation and experienced people. Hence they are not tools of propaganda, etc. They are very old people and very wise and independent in their outlook. All those people who are speaking against the creation of a Second Chamber are all Communists. They have faith only in themselves and not in others. Their argument is a very short-sighted one. They are always talking of the Second Chamber from the political point of view and not from broad human experience. I say the Second Chamber has done greater good to us. The Second Chamber can revise legislation and send back the same to the Assembly for its consideration. One hon. Member said that so far as the Madras Council was concerned it had not sent back any Bill passed by the Assembly. It may not have been done so far. But the Madras Legislative Council contains eminent people of international fame and high repute like Dr. Lakshmanaswami Mudaliar and several others. If we want to have the co-operation of such eminent people, we should have a Second Chamber. Suppose we want the services of Sri Prakasam and old people like him. We should have the Second Chamber. Therefore, taking the broad human experience and the history of democracy in the world into consideration, I submit that a Second Chamber is essential as a revising body as it contains men of experience, broad outlook and age. Therefore, although the Prime Minister has said that there should be no Second Chamber, I feel that it is necessary to provide for our great men like the Hon. Sri Rajagopalachari and Sri Prakasam who are doing the greatest service to the country.”

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SRI T. PRAKASAM :—“ Sir, I may be permitted to say just now that Sri Prakasam is opposed to the idea of having any Council anywhere.”

11-30 a.m. MR. SPEAKER :—“ The hon. Member Sri Kalyanasundaram may move his other amendment also.”

SRI M. KALYANASUNDARAM :—“ Kindly allow me to explain the reasons in a few words.”

MR. SPEAKER :—“ The hon. Member may first formally move his amendment. I will allow him to speak afterwards.”

SRI M. KALYANASUNDARAM :—“ Sir, I move amendment No. 66, which stands in my name and which reads as follows :—

‘ 66. For the existing clause 19, substitute the following :—

“ 19. The Legislative Council of the Madras State shall stand abolished as from the day immediately preceding the appointed day and all members of the Legislative Council shall cease to hold office as such on the day immediately preceding the appointed day.” ’

SRI T. C. NARAYANA NAMBIAR :—“ I second the amendment, Sir.”

* SRI R. SIDDANNA GOWD :—“ Mr. Speaker, while opposing the amendment given notice of on the Andhra State Bill, I wish to make my position clear. I do not wish to refer to personalities. I am going to speak from an entirely different point of view. Whatever may be the necessity or need for the existence or continuance of a Second Chamber in bigger legislative bodies like Madras, Bombay and other parts to represent expert opinion on various matters of various authorities which are responsible for the extension of elementary education, university education, etc., the existence of a Legislative Council for the Andhra State will only be a stumbling block in the progress of the Legislative Assembly of the Andhra Pradesh. It is said that a Second Chamber is intended to prevent hasty legislations. No doubt it is true in emergent circumstances. The Andhra State will be an infant State starting with a huge deficit and crippled finances. That is why the Government of India have not recommended the constitution of a Second Chamber for Andhra. I strongly support the view taken by the Government of India that there should be no Second Chamber for the Andhra State. It will involve a lot of extra expenditure. The finances of the new Andhra State cannot afford to meet the extra expenditure involved in constituting a Legislative Council and to meet the extra expenditure that will have to be incurred in holding Council sittings and in paying the travelling and other allowances to the Members of the Council. With these words, I oppose the constitution of a Legislative Council for the new Andhra State.”

SRI C. V. K. RAO :—“ Mr. Speaker, I support the provision in the Bill that there should be no Legislative Council for the Andhra State. I support the resolution that there should be no Legislative Council for the residuary Madras State also. It has been argued by Sri Gopala Menon that a Second Chamber will be helpful for the

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good administration of the country in the sense that experienced men may be brought into the Second Chamber, as such experienced men do not, cannot and will not contest the elections from their constituencies, and that it will have a sobering effect on the revolutionary tendencies of the Assembly. Well, that is a very, very old argument. If the contention is that the Assembly does not consist of such elements, then he may be right. The Member who has been elected from a constituency should have faith and trust in the people and in himself. Anybody is free to contest for an Assembly seat. Persons who are not interested in the administration of the country need not be bothered with the heavy burden of being made Legislators.

"I do not accept the argument relating to the 'sobering effect on the Assembly.' Because, there is room for all sorts of elements getting elected to the Assembly. Now, the election for the Second Chamber is based on indirect election, which is a very wrong method and principle. Under this system, the same person will be voting twice. For example, take the graduates. They will elect one person for the Assembly. Again, as graduates, they can elect another person for the Legislative Council. This is not good. A right is being conferred on certain sets of people who have two votes. Even from this angle, it is not correct to recommend a Second Chamber.

"When I am arguing that there is no need for a Second Chamber, I do not mean any disrespect towards the Members of the Council. What I do want is that they can as well be elected regularly from the constituencies. Now, the Members of the Assembly, after they are elected by the people, have to elect some Members for the Council. I am not able to understand the principle underlying this system. The suggestion for a Legislative Council has come from a party which has not got trust in the people, in the initiative and wisdom of the people. That is the reason for the move for a Second Chamber. I do wish that we as democrats should see that this Second Chamber is abolished. With regard to the men who have already been elected or nominated to the Council, they need not be dismissed straightway. There is a way out for them. In view of the extended constituencies in the different States, they may get elected from one of those constituencies.

"As a matter of fact, a Second Chamber nullifies the work that is being done in the Assemblies. Living in the present time and conditions as we do, I consider it to be a sheer waste of time, energy and money to have Legislative Councils which would be against the democratic aspirations of the people and also against the party spirit about which so much is being said on the floor of the House. As such, I oppose the continuance of the Second Chamber for the residuary Madras State as well."

* **SRI S. RAMALINGAM** :—“கனம் சபாநாயகர் அவர்களே, ஆந்திர மசோதாவிலுள்ள ஷரத்துக்கள் 19, 20, 21-க்கு நண்பர் ஸ்ரீ கலியாண சுந்தரம் அவர்கள் கொடுத்திருக்கும் திருத்தங்களை ஆதரித்து ஒரு சில வார்த்தைகள் சொல்ல ஆசைப்படுகிறேன். நம்முன் விவாதத்தில் இருக்கும் மசோதாவில் புதியதாக அமைக்கப்படப்போகின்ற ஆந்திர மாகா

[Sri S. Ramalingam]

[20th July 1953]

ளைத்திருக்கிற மேல் சபை கிடையாதென்றும், ஆனால் சென்னைக்கு இருப்பாழுது இருப்பதுபோலவே மேல் சபை இருக்குமென்றும் கண்டிருக்கிறது. நண்பர் ஸ்ரீ கலியாணசுந்தரம் அவர்கள் ஆந்திராவுக்கு மேல் சபை கிடையாதென்பது போலவே, சென்னைக்கும் மேல் சபை வேண்டாமென்று தான் திருத்தம் கொடுத்திருக்கிறார். புதிய மாகாணம் அமைந்தவுடனேயே இருப்பாழுது இருக்கக்கூடிய கவுன்ஸில் அங்கத்தினர்களின் பதவிக்காலம் முடிந்து விடுமென்று அத்திருத்தப்படி சொல்லப்பட்டிருக்கிறது. எந்தக் கருத்தைக் கொண்டு ஆந்திர மாகாணத்திற்கு மேல் சபை தேவையில்லைபென்று சொன்னார்களோ, அதே கருத்துப்படியே சென்னைக்கும் மேல் சபை தேவையில்லையென்றுதான் நாங்கள் கூறுகிறோம். ஆந்திர தேசத்திற்கு ஒரு கொள்கையும், எஞ்சிய பிரதேசத்திற்கு ஒரு கொள்கையும் சர்க்கார் ஏன் வகுக்கவேண்டுமென்றுதான் எனக்குத் தெரியவில்லை. இந்த மசோதாவில் இந்திய சர்க்கார் ஒரு கண்ணில் சுண்ணாம்பையும், மற்றொரு கண்ணில் வெண்ணையும்தான் தடவிவிடுகிறது என்பததான் எனது கருத்து. அங்கு பணச் செலவு அதிகமாகி விடுமென்று மேல் சபை கிடையாதென்று ஒரு கண்ணில் வெண்ணை தடவிவிட்டு எஞ்சிய மாகாணத்திற்கு மாத்திரம் எதற்காக மேல் சபை இருக்க வேண்டுமென்று சுண்ணாம்பைத் தடவ வேண்டுமென்றுதான் நான் கேட்கிறேன். மற்றொரு விஷயத்தை எடுத்துக் கொண்டால் தற்பொழுது உள்ள மேல் சபை அங்கத்தினர்கள் சிலர் அசெம்பிளி மெம்பர்களாலும், சிலர் பட்டாதாரிகளாலும், சிலர் ஆசிரியர்களாலும். சிலர் மேன்மை தங்கிய கவர்னர் அவர்களின் நியமனத்தாலும் பதவி வகித்து வருகிறார்கள். ஆந்திர மாகாணம் அமைந்தவுடன், ஆந்திராவை மேல்சபை அங்கத்தினர்களின் பதவி முடிந்துவிடுமென்று அவர் கண்ணில் சுண்ணாம்பைத் தடவி விட்டு, எஞ்சிய பிரதேசத்தைச் சேர்ந்த அங்கத்தினர்களின் பதவிக்காலத்தை நீடிக்குப்படி இவர்கள் கண்ணில் வெண்ணையைத் தடவுவது மிகவும் வருத்தத்தக்க விஷயமாகும். ஏற்கெனவே நான் சொன்னதுபோல ஆந்திரர்களும், தமிழர்களும் சுண்டை போட்டுக் கொள்ளட்டுமென்று இம்மாதிரி இந்திய சர்க்கார் செய்திருக்கிறதென்று தான் நான் கருதுகிறேன். மேல் சபை இருப்பதினால் நேரடியாக பொது மக்களிடம் சென்று அவர்கள் போட்டுக்கிடைப்பெறாமல், அவர்களின் அனுதாபத்தைப் பெறாமல் கனம் ராஜகோபாலாச்சாரியாரை போன்றவர்கள் கொல்லைப்புற வழியாக உடை நுழைவதற்கு வசதி இருக்கிறது. மேல் சபை இருப்பதினால் தான் அறிவாளிகளின் யோசனைகளைப் பெறமுடிகிறதென்றும், கனம் ராஜகோபாலாச்சாரியைப் போன்ற மேதைகள் தங்கள் யோசனையையும், சேவையையும் நாட்டுக்கு அளிக்க முடிகிறதென்றும், அந்தப் பக்கத்திலிருந்து பேசினார்கள். உண்மையாக இன்றையதினம் கனம் ராஜகோபாலாச்சாரியாரைப் போன்ற மேதைகளின் யோசனைகள் அவசியம் தானா என்று நான் கேட்க விரும்புகிறேன். சர்க்காரின் நிர்வாகம் எப்படி இருக்கிறது. மக்கள் எப்படி கஷ்டப்படுகிறார்கள். அவர்களின் குறைகள் எல்லாம் எப்படி நிவர்த்திக்கப்படவேண்டுமென்பது போன்ற விஷயங்களை மக்களால் தேர்ந்தெடுக்கப்பட்ட மக்களின் பிரதிநிதிகள் முதல் மந்திரியிடம் டெபுடேஷன் சென்றால், டெபுடேஷனுக்கு தலைமை தாங்கி எம். எல். எக்ளை போலீசாரை லீட்டுகை செய்யச் சொல்வதும், ஐந்தாறு மணிகள் போலீஸ் ஸ்டேஷனில் வைத்துவிட்டு பிறகு வெளியில் விடுவதும், அதைப்பற்றி விசாரிக்க வேண்டுமென்றால் தன்னுடைய சட்ட நுணுக்க வாத்தலால் அப்படிச் செய்யாமல் தடுப்பதும் ஆகிய அவரது யோசனைகள் நமக்குத் தேவையானவையென்பதைப்பற்றி நாம் நன்கு யோசிக்கவேண்டும். மேல் சபை என்கிற கொல்லைப்புற வழியாக அவர்கள் அதிகாரத்திற்கு வந்திருப்பதினால் தான் அவர்கள் பொறுப்பற்ற நிலைமையில் இருக்க முடிகிறது. ஒரு சமயம் தஞ்சைக்கு அவர் வந்திருந்தபோது மக்களின் நிலைமையை நேரில் எடுத்துச் சொல்ல நான் சென்றேன். அவருக்கு நான் வந்திருப்பது பற்றி ஒரு குறிப்பி அனுப்பியதற்கு அவரது காரியதர்சி முதல் அமைச்சா தாங்குவதாகவும் அவரைப் பார்க்க முடியாதென்றும் சொல்லிவிட்டார். அவர்களால் தேர்ந்தெடுக்கப்பட்டு வந்திருந்தால் தானே அவர் மக்களுக்கு நன்மை செய்யவேண்டுமென்று விரும்பப் போகிறார். விரும்புகிறவர்களோடு விவாதம் செய்யப் போகிறார். ஆட்சியை நடத்துவதற்கு போலீஸ் படையை உபயோகிக்கும் கனம் ராஜாஜி போன்றவர்கள் பதவிக்கு வராது இருக்கவேண்டுமென்றும்

20th July 1953]

[Sri S. Ramalingam]

நிச்சயம் மேல் சபையை ஒழித்தாக வேண்டும். பொதுவாக மக்களிடம் நேரடியாகச் சென்று அவர்களுது வாக்குகளை வாங்கி வருகிறவர்கள் தான் மக்களுக்கு விரோதமாக எந்தக் காரியத்தையும் செய்ய பயப்படுவார்கள். மக்களுக்கு விரோதமாக பொறுப்பற்ற முறையில் கனம் ராஜ்காபாலாச்சாரிபாரைப்போல போலீஸ் படையை உபயோகிக்க நடுங்குவார்கள். ஸ்ரீ ராஜ்கோபாலாச்சாரியார் கவுன்ஸில் மெம்பராக இருப்பதினால் தான், மேன்மை தங்கிய கவர்னர் அவர்களின் நியமனத்தின் மூலம் கொல்லைப்புற வழியாக உள்ளே நுழைந்த காரணத்திற்கும் தான் மக்களுடைய கோரிக்கைகளைப் புறக்கணித்து, மக்களுடைய பிரதிநிதிகளைப் பார்த்துப் பேசவும் அனுமதி தர மறுத்து பொறுப்பற்ற நிலையில் ஏதேச்சாதிகாரமாக நடந்துகொள்ள முடிகிறது. பொதுமக்களிடம் சென்று வோட்டு வாங்கி வராததாலும், இனி மேலும் பொது மக்களிடம் சென்று வோட்டுக்கு நிற்கப் போவதில்லையாதலாலும் அவர் துணைச்சலாக நடந்துகொள்ள முடிகிறது. ஆகையால் தான் ஆந்திர தேசத்திற்கு மேல்சபை கிடையாதென்பதைப் போலீஸ், எஞ்சியுள்ள பிரதேசத்திற்கும் கவுன்ஸில் தேவையிலேயென்ற ஸ்ரீ கலியாணசுந்தரம் அவர்கள் கொண்டு வந்திருக்கும் திருத்தத்தை நான் ஆதரிக்கிறேன். ஆந்திர ராஜ்யத்திற்கு கவுன்ஸில் வேண்டாமென்ற கோரிக்கையும் எஞ்சிய பிரதேசத்திற்கு கவுன்ஸில் வேண்டுமென்ற கோரிக்கையும் சர்க்கார் எதற்காக மறைமுகமாக இந்திய சர்க்காருக்கு அனுப்பவேண்டுமென்று தான் எனக்குத் தெரியவில்லை. ஆகவே எல்லோரும் கொல்லைப்புற வழியாக யாரும் நிர்வாகத்தை கைப்பற்றிக் கொண்டு மக்களுக்குப் புறம்பான காரியங்களைச் செய்யாமலிருக்க எஞ்சிய பிரதேசத்திற்கும் கவுன்ஸில் வேண்டாமென்ற நண்பர் ஸ்ரீ கலியாணசுந்தரத்தின் திருத்தத்தை ஆதரிக்க வேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய பேச்சை முடித்துக் கொள்கிறேன்.”

* SRI K. VARADACHARI :—“ Mr. Speaker, Sir, I am one of those who have given notice of amendments in favour of constitution of a Legislative Council for the Andhra State whatever may happen to the Madras State which has been a progressive one and continues to be so. Whether they retain the Council or not is not my job. But I am particular that in the situation in which the new Andhra State will find itself it is essential that that Legislature should have a Council also so that it may function as a helpful advisory body for at least the duration of the Andhra Assembly, if not permanently. I am aware that the Government of India are thinking in terms of abolishing all Legislative Councils in the country. Whenever such a decision is taken by the high level committee appointed for the purpose and when the great men finally agree to such a course, let it come. But before any such decision is taken, it is curious to find that a State like the Andhra State which, even in its crippled size is still deserving of an upper Chamber is denied one. An upper Chamber is necessary to guide the deliberations of the Assembly on several matters which require expert or elderly experience and advice. Depriving the Andhra Legislature of such an institution is a serious blow to the Andhra State. We constitute a major province. Mysore has got a Legislative Council. Assam has got a Legislative Council. West Bengal has got one. In these circumstances, why should Andhra be deprived of a Legislative Council. Is it proper to deny an upper Chamber when even in the most advanced country like the United States, every State has got a second Chamber in spite of the fact that the population of each small State is not more than three or four million? That being so, in a State which consists of 20 million people and which is promised an increased strength of 196 in the Legislative Assembly,

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it is not proper to refuse a second Chamber, which is after all a negligible factor. The Andhra area has been enjoying an Upper House by remaining in the composite State all this time, a chamber consisting of several great men who have been giving their experience and talents for the proper governance of the country. That being so, I do not see any reason why there should not be a Council for the Andhra State.

"Sir, objection may be taken on the ground that an upper House will be a financial burden on the new State. After all, figures have been worked out and the Legislative Council will not cost more than a lakh and thirty thousand rupees every year. It is not such a big figure. What is there that the Andhra State is going to get by a reduction of this sum from its expenditure? It is not going to be helpful to the Andhra State in its administration. Even if we talk of principle, there is no principle involved in this issue. Are we to assume that all the Constitutions in the world which provide for a second chamber have gone wrong? We are an infant democracy and we cannot say that Legislative Councils are anomalous, out-dated and useless. That is not the attitude we should take. When a final decision is taken by the Government of India, I am sure they will not come to a decision in favour of abolition. The high level committee also I am sure will not favour abolition. Be that as it may. So long as this Assembly in the Andhra continues, a Council also should be there. There are already 24 Members elected from several constituencies. We want only 16 more to constitute the Andhra Legislative Council. This can be arranged either under the Constitution or by the President even at the formation of the Andhra State. I would say that it has become doubly important and necessary that there should be a Legislative Council. The argument heard is that 'in view of some decision that may be taken tomorrow, let us abolish the Council in the Residuary State, or let us have no Council in the Andhra area.' That should not be the attitude. We have been having a Legislative Council in the composite State. Let us continue to have such members. If this course is not possible, the Government of India can decide that those members who are now members of the Legislative Council here representing the Andhra area may be made Members of the Legislative Assembly itself, just as members of this Assembly are now constituted to be members of the Andhra Legislature. Why should they be dismissed straightaway by reason of the Constitution of the Andhra State?

"Sir, my sole and strong plea is that a Legislative Council in the Residuary Madras State is absolutely necessary and for the duration of this Assembly at least, the Government of India and Parliament may consider the question of constituting a Legislative Council for the Andhra State."

* SRI V. SRI KRISHNA :—“అధ్యక్షా, శ్రీ వరదాచారిగారు మాట్లాడుతూ, ఆంధ్ర రాష్ట్రానికి ఎగువ శాసన సభ అవసరమని, అది ఏమాత్రము రాష్ట్రానికి భారముకాదని ఒక సూచన చేశారు. కాని, అసలు కొత్తగా రాష్ట్రము ఏర్పడబోతున్నప్పుడు మన ఆర్థికపరిస్థితి చాలాలోటుగా ఉండున్నప్పుడు వరదాచారిగారు చెప్పే

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[Sri V. Sri Krishna]

వి కొద్దిపాటి భారమైనా బరువే అవుతుందనీ, రాష్ట్రమునకు చాలా నష్టదాయకంగా పరిణమిస్తుందని నా అభిప్రాయము. ఈ సందర్భంలో, మిత్రులు పరదాచారిగారు, వారి తరువాత మాట్లాడిన మిత్రులును, ఈ సవరణను ప్రతిపాదించినటువంటి క్లిష్టమూరిగారు ఒక విషయము గుర్తుకు తెచ్చుకోవలసియుంటుంది. అంధ్ర శాసన సభ్యుల సమావేశంలో రాజధాని నిర్ణయ సమస్యమీద చర్చ జరిగినప్పుడు, ప్రజాస్వామిక స్ఫూతాలను గురించి దీర్ఘమైన ఉపన్యాసాలు చేసిన మిత్రులు, అనేక ఇతర ప్రజాస్వామిక దేశాలనుకూడ ఉదహరించి మాట్లాడిన రాజ్యాంగవేత్తలు, ఈ నాడు, ఇక్కడ, దిగువ శాసన సభకు ఎన్నుకోబడలేకపోయినవారు దొడ్డిదారిని నిచ్చిన వేసుకొని మిడ్లనెక్కే విధానాన్ని కోరుతున్నారంటే విచారంగా ఉన్నది. ఇతర ప్రజాస్వామిక దేశాలలో, ఎక్కడకూడా ఇటువంటి దొడ్డిదారిని శాసన సభకు వచ్చే పద్ధతిలేదు. అటువంటి పద్ధతిని వీరు సమర్థించడం చాలా ఆశ్చర్యంగా ఉంది. ముఖ్యంగా గత సమావేశంలో క్లిష్టమూర్తి రావుగారు రిమోన్స్ నియంతృత్వాన్ని గురించి మాట్లాడాడు. నిజంగా ప్రజాస్వామికం అంటే, ప్రజలయొక్క వోట్లచే ఎన్నుకోబడటమేగాక తిరిగి ప్రజలు ఎప్పుడు పనికి రారనుకుంటే అప్పుడు తిప్పిందివే అవకాశం ఉండాలి కాని రాజ్యాంగ చట్టం ప్రకారం ప్రతినిధులు ఏ విధమైన అడ్డు లేకుండా అంటిపట్టుకుని అధికారంలో కూర్చోగలరు. వీరు ప్రజలకు నిత్య ప్రాతినిధ్యము వహించవలసిన అవసరం లేదు. ప్రజాస్వామ్య పద్ధతిని మరుగుపరచి దొడ్డి ద్రోవను వచ్చే పద్ధతిని కోరడం ప్రజాస్వామికం అనిపించుకోదు. సాధారణంగా, ప్రజాప్రతినిధులనేవారు, తమతమ ప్రాంతాల ప్రజలచే ఎన్నుకోబడవలసియుంటుంది, అట్లుగాకుండా, ఇప్పుడు జరుగుచున్నదేమంటే, ఒక సభ్యుడు తన ప్రదేశమైన అనంతపురములో, తన ప్రజలచే ఎన్నుకోబడలేక, అక్కడ ఓడిపోయినందున కాశహాస్తి నియోజకవర్గమునకు నిలబడడం, అక్కడ నెలం ఓడిపోలే దొడ్డిదోవనే గడ్డ నెక్కేందుకు యీ పద్ధతి ఉపయోగిస్తుంది."

SRI B. KRISHNAMOORTHY ROW :—"On a point of order, Sir, the hon. Member is speaking on things inconsistent with the amendments before the House."

*SRI V. SRI KRISHNA :—"Sir, the hon. Member is taking the powers of the Speaker. What I speak is consistent and relevant to the point. ఇప్పుడు, రాజ్యాంగ సభలోను, ఎగువ శాసన సభలోను చాలామంది తెలివిలేకుండా వ్యక్తులు, రాజ్యాంగ వేత్తలు ఎన్నుకొని సమాధానము చెబుతున్నారు, ఆ ఆధ్వర్యమెటువంటి ఇప్పుడు ఈ రిజిస్ట్రీ కౌన్సిలకు ఎటువంటివారు వస్తున్నారు. వి విధంగా వస్తున్నారని, దాని స్వరూప స్వభావాలు ఒకసారి చూచినట్లైతే, ప్రజలచే శాసన సభకు ఎన్నుకోబడ లేనటువంటి మిత్రులు, వేరేవిధంగా శాసన సభకు ఎక్కడానికి దీనివల్ల మార్గమేర్పడుతున్నదని చెప్పవలసియుంటుంది. దీనికి ముఖ్యంగా మన ప్రధాన మంత్రిగారిని ఉదాహరణంగా చెప్పుచున్నాను. ఈ కౌన్సిలు ఉండే రెనసుకు కారణంగా దీనివల్ల అనేకమంది మేధావులను శాస్త్రజ్ఞులను ఎన్నుకోవచ్చుననే చెబుతున్నారు. కాని, ఎన్నికలో ఓడిపోయినవారు వైకి వచ్చారు. ఎవరైనా జాతియోద్వేషానికి వ్యతిరేకులై దేశ స్వాతంత్ర్య పోరాటానికి వ్యతిరేకంగా, సామ్రాజ్యవాదాన్ని బలపరుస్తూ వచ్చారో, అటువంటి వ్యక్తులు జస్టిస్ పార్టీ మురానాయకులు, భూస్వాములు, ఈ రోజున కాంగ్రెసు వామల అండగా మన శాసన సభను దొడ్డిదోవ ప్రవేశించడానికి ఎగువ శాసన సభ ప్రధానంగా ఉపయోగపడుతున్నదని గుర్తించాలని మనవి చేస్తున్నాను. ఈ సందర్భంలో పోలియట్ రిమోన్స్ శాసన సభలు వి విధంగా ఉన్నాయని చూచినట్లైతే, అక్కడ రెండు సభలున్నాయి. ఆ

[Sri V. Sri Krishna]

[20th July 1953]

రెంటిలో, ఒకటి ప్రధానమైనది. అది ప్రజలచేత ఎన్నుకోబడినటువంటి ప్రతినిధులు గలది. రెండవది చిన్న చిన్న జాతుల తరపున, మైనారిటీ జాతులయొక్క హక్కులను కాపాడడానికి వారి ప్రయోజనాలను రక్షించడానికి ప్రత్యేకంగా మరొక సభ యున్నది. అయితే, ఇక్కడున్న విధంగా, అక్కడ, ఒకచోట ఓటిపోయినట్లైతే, మరొకచోటలో శాసన సభకు వచ్చే పద్ధతిలేదు. ఆ రకంగా, అక్కడ రెండు సభలు వారు కూడ ప్రజలచే ఎన్నుకోబడినవారుగా యంటారు. ఇప్పుడు మన దిగువ శాసన సభకు ఓటిపోయిన వ్యక్తులూ, ప్రజలయందు నిలబడ లేని వ్యక్తులూ ఈ రెండు రకముల ప్రతినిధులను ఎన్నుకొనుటకు వీలుగానున్నది. అటువంటిప్పుడు, మనకు ఎగువసభ అనేది అనవసరం. దానికి ఎంత ప్రజాప్రవృత్తి వున్నా ఖర్చు పెట్టవలసి యంటుంది. మనము ఇప్పుడు దానికి ఖర్చు పెట్టే స్థితిలో కూడలేము. రెండవది ఈ ఎగువ శాసన సభ ఉండవలసి చాలా తెలివితేటలు గలవారిని శాస్త్రజ్ఞులను ఎన్నుకొనుటకు వీలుగా ఉంటుందని అంటున్నారు. కానీ, ప్రజాస్వామి సూత్రాలను, స్వాతంత్ర్యవాన్ని దిక్కురించినవారు, వారికి తెలివితేటలు వున్నప్పటికీ, వారు మూఢులైనప్పటికీ శాసన సభకు అర్హులు కారని, వారు శాసన సభలో ఉండవలసిన వారు కాని తెలుపుచున్నారు. అటువంటివారు మన దేశపురేఖివద్దకి ప్రజాప్రయోజనాలకూ అడ్డు ఉడానికి తోడ్పడ గలరు. కనుక అటువంటి ఎగువ శాసన సభ అగ్ర రాష్ట్రమునకు లేకపోవడమే మంచిది. తరువాత ముదాను రాష్ట్రమునకు కూడ అది లేకుండా మనము తీర్మానించినట్లైతే, వారికికూడ మనమంతో సహాయంచేసిన వారలతోపాటు మిత్రులకు సలహా ఇస్తున్నాను. తరువాత ప్రధానంగా విజ్ఞానవంతులు, తెలివితేటలు గలవారు, దిగువ శాసన సభకు రాలేక పోతున్నారు. కనుక ఎగువ శాసన సభ అనవసరమని కొంతమంది మిత్రులు చెప్పుచున్నారు. దానికికూడ ఒక మార్గమున్నది. నిజంగా, ప్రజాస్వామిక సూత్రాలను, వ్యతిరేకించనటువంటివారు, తెలివితేటలు గలవారు, విజ్ఞాన వంతులు ప్రజలచేతనే దిగువ శాసన సభకు ఎన్నుకోబడునట్లు చేయవచ్చును. విజ్ఞాన వంతులు, తెలివితేటలు గలవారు ఎవరైన శాసన సభకు ఉపయోగపడు వారున్నాయితే ప్రజలచేత వారు ఎన్నుకోబడుటకు రాజకీయపక్షాన్ని కృషిచేసి వారిని ఎన్నుకోవచ్చును. అది మన చేతిలోనే ఉన్నది. లేదా, అటువంటివారు ప్రభుత్వం యొక్క పరిాలనా శాఖలో ఉపయోగపడునట్లు వారిని నియమించుకోవచ్చును. ఆ విధంగాకూడ వారి విజ్ఞానాన్ని, తెలివితేటలను మనము ఉపయోగించుకోవచ్చును. అంతేగాని, ఎవరైతే దేశానికి, జాతికి, అభివృద్ధికి చేస్తారో, ప్రజాస్వామిక సూత్రాలను వ్యతిరేకిస్తారో, వారికి తెలివితేటలు ఉన్నప్పటికీ, వారిని ఎన్నుకోగూడదు. వారు ఎన ప్రజాస్వామిక విధాలకు ఎక్కడ ఉండుటగా పరిణమిస్తారే గాని, వారివల్ల ప్రజలకుగాని దేశానికిగాని ఎమి ప్రయోజనముండటోదు. కనుక అటువంటివారు శాసన సభలో ఉండకూడదు. ఎంత తెలివితేటలు వున్న ప్రజలకు ఉపయోగపడకపోతే ఎప్పటికీ జనం. అటువంటివారిని దొడ్డిదారిలో కాన్సిల్స్ కి తీసుకురావడంవల్ల అభ్యుదయ శాసనాలకు అడ్డంకగడం తప్ప మరేమి ఉండదు. అలాకాకుండా తెలివితేటలున్న వారిని ఎన్నుకోకే ఎన్నిక అయ్యేట్లా రాజకీయ పక్షాలు ప్రయత్నించవచ్చును. మరేంద్రనాథ్ చటోపాధ్యాయ బెంగాలీ హైదరాబాదులో కాపురం. అటువంటి ఆయనను తెలుగు దేశం తీసుకువచ్చి కరి, విజ్ఞానవేత్త, శాంతి ఉద్యమానికి, ప్రజా ఉద్యమానికి తోడ్పడే అభ్యుదయ కామి అని ప్రజలకుచెప్పి విజయవాడలో నిలబెట్టాము. అఖిల భారత నాయకుడే ఆయనకు ఎదురుగా నిలబడినా, గెలిపించడం జరిగింది. అలాగే ఇతర వారి ఆద్యులను. అందువల్ల నా అభిప్రాయం విమిటంటే ఈ కాన్సిలు

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అంధ్ర రాష్ట్రానికి అవసరమని, అటువంటి కాన్సిలు ప్రజాస్వామిక శాసనాలకు అడ్డంగా వుండడంతప్ప మరేమీలేదని, అదే ప్రకారం తమిళ మిత్రులకు కూడా కాన్సిలు లేకుండా వుండవలెనని కోరుతూ విరమిస్తున్నాను."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, I rise to support the amendment moved by the hon. Member Sri M. Kal-yanasundaram. I like to bring to the notice of this House one pertinent factor. That is, even the Congress itself has accepted that there is no need for a second Chamber for the States. But I do not know the views expressed by the Madras State. But all the same we find there is a provision in this Bill for the second Chamber in the Residuary Madras State. Actually I feel that there is no necessity for the Madras State to retain the second Chamber. There may be an argument that eminent men and eminent politicians like Mr. Rajagopalachari may be a real necessity for the Residuary Madras State. Then, it is for the Residuary Madras State to decide the issue, and I feel it is for such members to get elected in the Residuary Madras State. The Hon. Mr. Subramaniam may say even that is easier and I do not propose to contest that point either. For instance, Mr. Prakasam got himself elected by standing for and contesting an election. We know, Sir Winston Churchill and others have contested elections even at the age of 80 and our Chief Minister is not yet 80 and he can very well stand for an election . . . "

THE HON. SRI C. RAJAGOPALACHARI :—" Is the Council to be abolished because of me? "

SRI PILLALAMARRI VENKATESWARLU :—" So, Sir, because prominent men and prominent political figures like Mr. Rajagopalachari, are a necessity in the Madras State, there is no need to have another Chamber. If his presence is essential, the Hon. Sri Subramaniam may resign his seat and get him elected for the Legislature.

" Then, Sir, there is another difficulty about the second Chamber. Many speakers pointed out and many hon. Friends are prepared to quote historical precedents of the difficulties of the second Chamber. Even those who have great faith in the Constitution of England and the practices in England are agreed that this second Chamber is always against reforms. For that reason, there were proposals previously to abolish the second Chamber even in England and so this second Chamber has become a very old idea and many politicians are thinking of giving up these second Chambers . . . "

THE HON. SRI C. SUBRAMANIAM :—" What about Russia? "

SRI PILLALAMARRI VENKATESWARLU :—" My hon. Friend, Sri Subramaniam refers to the question of Russia. Of course. (Interruption by the Hon. Sri C. Subramaniam) Sir, the Hon. Chief Minister and the Hon. Sri Subramaniam are against all interruptions when they speak. It is unfortunate that they interrupt every speaker, at every stage and on every point. And

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here he says about Russia. In this connection, may I point out to him that the constitution of the second Chamber in the Soviet Union is entirely different? There are no nominations just like what is happening in Madras. Even for the second Chamber it is by elections that members are chosen. Moreover, there the second Chamber is a House of Nationalities where all the nationalities may be properly represented. For that purpose only there is a second Chamber in the Soviet Union. If that were the composition of the second Chamber here, personally I have no objection and the Leader of the House also will not bring in comparison between the existing Legislative Council and the second Chamber in the Soviet Union. That is why, we feel that the second Chamber here is not only not helpful, but it obstructs the proceedings of the Legislature.

"Mr. Speaker, Sir, you and I are experiencing the difficulties that whenever a Bill is passed by this House . . ."

MR. SPEAKER :—"No, I have never had any difficulty."

SRI PILLALAMARRI VENKATESWARLU :—"No, Sir. One minute and I will explain. Whenever a Bill or a proposition is brought forward here, immediately the Cabinet says this has to go to the Legislative Council; the Budget must be presented there before such and such date and that is why matters have to be expedited here and they bring in pressure on you regarding the procedure . . ."

MR. SPEAKER :—"No, no. Never is any pressure brought on the Speaker."

SRI PILLALAMARRI VENKATESWARLU :—"Sir, even at this stage we are feeling how difficult it is having a second Chamber and how the second Chamber is interfering with our own procedure in this House. That is the very reason why I say that there is no need for a second Chamber.

"Sir, another question raised is about eminent people. I have great respect for the eminence of people. But all the same should that merely be the criterion for a person to be in the Legislature? There is the Advocate-General who is an expert in Law. There is no reason why he should be in the Legislature and decide the policies of Government. The criterion should be whether a particular person represents the people and whether the people have faith in him for him to be a member of the Legislature. We can take eminent men in advisory bodies, like the Educational Council, the Medical Council or the Engineering Council and they may help the Government in carrying on the policies of the Government. So, Sir, these eminent people need not decide the policies of the Government, but at the same time by their eminence they may help the State in carrying on their policies, and that reason need not stand in our way of abolishing the second Chamber.

"Sir, one hon. Member while speaking stated that the Communists oppose the retention of the Legislative Council merely on

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political considerations. Perhaps, that particular hon. Member is not aware that the Congress itself has decided against the continuation of the Legislative Councils. We will bring in political considerations on political issues and certainly we will do that without raising this issue of the political parties for the abolition of the second Chamber. The hon. Member need not think that the Communist Party is interested in this. He forgets that even the Congress decided likewise. But only the Madras State has proposed the continuation of the Legislative Council. So in bringing in the Communist Party and trying to isolate it even when his own organization had decided on abolition of Legislative Councils, he is entirely wrong.

"We, the Andhra members in the present Legislature are for doing away with the present Legislative Council, so that the new residuary Madras State may also not have the hindrances of a second Chamber.

"Sir, I hope the Resolution given notice of by the hon. Member Sri M. Kalyanasundaram will have the unanimous support from the whole House, despite party politics and party differences."

* SRI T. VISWANATHAM :—"Mr. Speaker, while rising to support the amendment moved by Sri M. Kalyanasundaram, I also wish to speak on the amendment moved by myself (No. 172). If the amendment of Sri Kalyanasundaram is accepted, my amendment becomes superfluous and I will be very glad. On the other hand, if Mr. Kalyanasundaram's amendment is not accepted, my amendment comes in. Therefore I speak with respect to the two amendments as they are connected matters. My amendment refers to certain names which should have been in the schedule, but which have been omitted for some reason or other. Sir, much has been said why a Council should exist. Personally I am not a fanatic of one or the other theory that the Council should exist or that the Council should not exist. But ideas are developed from existing conditions and when the Constituent Assembly provided for Councils in certain States, they took the old thread from the Government of India Act and reconciled themselves to these councils in certain States. If they had accepted the idea of councils, surely they should have provided Second Chambers for all the States. But they did not. They provided Second Chambers only for some of the States. But we are now trying to continue the thread on the division of this great State into two States. Certain friends have brought in the name of the Hon. Sri C. Rajagopalachari to prove that the council is a necessity. Surely he is not useful for them to prove their case. After all, the Hon. Sri C. Rajagopalachari, so far as the administration of the affairs of this State was concerned, was not in the picture at all. He was not an afterthought. Something had to be done in the last moment to save the Government in Congress hands and so he came in and the argument that there was no place for a great elderly statesman otherwise does no good. If originally he wanted to take part in the affairs of this State, he would have come in the ordinary way.

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Ideas develop from existing conditions. The States which are given councils are not in a different category. Seeing indeed the nominations and seeing also that Members who are set up by the political parties to the council are not great and elderly statesmen whom and whose greatness we now extol, I can say they are generally persons who have been left out in the selection of members for the Legislative Assembly. That is how the councils are justified. There is a greater reason now than at the time of the Constituent Assembly why these councils should go. If in this brief period of three years the councils have justified themselves, possibly I should have come to the view that the Second Chamber is an advisory or revising Chamber. It would be wrong if I try to analyse the personnel. But the facts are well known and that is why a general atmosphere has spread in favour of the abolition of councils. I know that certain of my friends belonging to the Congress Party have said that the council for Madras is a necessity for the reasons which they have stated. But they are no reasons at all. All the same, if my information is correct, the Congress Party also in their memorandum to Mr. Justice Wanchoo stated that the councils are not good. They did not want a council for Andhra. Certainly what applies to Andhra must also apply to Madras. It does not depend merely on numbers. It is not merely a question of numbers, the Assembly having 160 and the Council having 40. Punjab and Mysore have got Legislative Councils without having 160 members in their Assembly. The reasons which prompted the forward Andhras to ask for the abolition of the council must also apply to the progressive friends that are now in the Residuary Madras State. (The Hon. Sri C. Rajagopalachari: 'We are backward'.) I do not like the Hon. Chief Minister just to say that they are backward. They are very forward. I do not support the existence of a council just for the sake of a few Members. I also submit that the theory that there is a necessity is not correct because its existence has not justified the theory.

" Then, Sir, if the amendment of Sri M. Kalyanasundaram is not accepted, in the composition of the members of the council for the residuary State, certain changes have got to be made and that is the subject-matter of my amendment. In the schedule giving the names of members of the Madras Legislative Council, the names of certain members have been removed and I do not know on what principle. I am not particularly referring to the members who have been elected by the Graduates' Constituencies which are divided on a territorial basis, nor am I referring to the members who have been elected by the Teachers' Constituencies which are also divided on a territorial basis. Then there is the case of 24 members who have been returned to the Council by the common vote of the Assembly and if some members are to be retained and some others are to be removed, an over-riding justification has got to be presented and it must appeal to a reasonable mind. I submit that the 24 members have got a vested right and they cannot be deprived of their vested right by mere legislation. Legislation can alter political status as regards the future. But

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vested rights cannot be cancelled as they cannot be cancelled in contractual obligations. The 24 members who have been elected to the Council by the common vote of the Assembly have got a right to continue whether they belong to the residuary Madras State or not. I submit it would not be an anomaly. We are accustomed to anomalies. The Andhra University Senate has members who represent areas which are affiliated to the Madras University. The world consists of several anomalies and wisdom consists only in reducing their number and not in creating more anomalies, by trying to abolish one. I entirely agree with Sri Gopala Menon whose views are generally very balanced that it is very arbitrary and discriminatory to take away the names of some members by mere legislation. The Government may say that they have removed those names on the ground of their domicile or on the ground of their vocational or voting interest. Even then the principle is not correctly applied. Mr. Raza Khan whose name is removed has no voting or property interest in the new Andhra State. Sri B. V. Subramaniam whose name also is removed has no voting or property or vocational interest in the new State. They are citizens of the residuary State and there is no reason why their names should not be there. Then there is the well known pest Mr. Srirangam Srinivasa Rao who has been recently elected to the Council and who has voting and vocational interests in the Madras State. I cannot understand why these three names have been removed. If the Government have got some difficulty in adjusting the numbers, they might choose some other method rather than removing the names of these three gentlemen in this manner who have been elected to the Council by the common vote of the Assembly. I think the Government should revise their views in respect of these three members. I therefore submit that my amendment might be accepted if the House rejects the amendment of Sri Kalyanasundaram."

MR. SPEAKER :—"The hon. Member has mentioned only two names in his amendment." 12-20 p.m.

* SRI T. VISWANATHAM :—"Yes, Sir. After seeing Vavilala Gopalakrishnaiah's amendment, I had included the names of Sri Srinivasa Rao, and some other similar members also. I submit that this taking out of the names of these members from the list of Council Members is unparliamentary, undemocratic, unconstitutional and arbitrary. I once again submit, Sir, that the continuance of the Council after separation will be against the wishes of all progressive forces which demand its abolition. Let not the Hon. Chief Minister sidetrack the issue by saying that they are backward, they want a Council, etc., etc., and thus brush it off."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—"Mr. Speaker, Sir, I am rather surprised at the turn the discussion has taken. I might even say that I am rather amused at seeing the difference of opinions among the Andhra Legislators themselves. Some favour abolition of the Council, while some others had waited on deputation on the Prime Minister and demanded

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its retention. I could well understand the Andhras saying that they want an Upper House or they do not want it after the appointed day, i.e., 1st of October 1953 when their new State would have been born. But I am surprised at their participating in the discussion regarding the continuance or retention of the Upper House in the residuary State (mind you, not Andhra State) when all of them would have gone when the residuary State is born. Why should they shed their tears for the retention of our Upper Chamber, I do not know.

"Let me now come, Mr. Speaker, to historical facts, to basic facts. This question has been thoroughly discussed in the past. In fact this question figured prominently when the Constituent Assembly was discussing the question whether to continue or retain the Upper Chamber in the States. After mature consideration they decided in favour of the retention of the Upper Chamber in the States in which it already existed. Can we say that their decision was an off-hand one? Why should our Andhra friends show extra kindness to us by advising us to abolish our Upper Chamber after their separation? I am unable to understand the mystery behind it."

SRI T. VISWANATHAM:—"On a point of order. It is not a question of Andhra or Tamil, Sir. We are members of the House till 1st of October 1953 and till that time we enjoy the same rights and privileges as the Raja of Chettinad."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I know Mr. Viswanatham for a very long time, Sir. The only point I could not understand still is, why are the Andhra Members showing this extra kindness to us in favouring the abolition of the Upper Chamber in the Tamil area, when in fact it is one concerning us and not them, for they would have gone by that time. We do not stand to lose anything by having an Upper Chamber. In fact it is a blessing for the minorities. This has been recognized by the Congress also. Mr. Viswanatham knows all those things. In fact he had been all these years a Congressman. Now only he had changed."

"The necessity of an Upper Chamber had long ago been realised. In fact when my revered leader Sri Rajaji was running the administration during 1937-39, I had the privilege of being the Leader of the Opposition. It was there that I found the necessity of an Upper Chamber. The minorities, the voice of those who had been defeated in the elections, cannot be so easily brushed aside. In fact the case of minorities stands to gain by having an Upper Chamber, for if not in the Assembly at least in the Council it would be referred. In fact I like this gradation process starting from the Assembly, then Council, then House of the People, then Council of States and then the Supreme Court. That would act as a sort of check. I have noticed several times in the usual tense atmosphere prevailing in the Lower House, at times Government have got to say 'No' to several things to which on normal occasions they would have said 'yes'. The

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existence of an Upper Chamber would exercise a balanced check against such hasty legislation. That should not be lost sight of. In fact we stand to gain and not lose by having an Upper Chamber. I could very well understand hon. Members saying that we may alter the procedure of nomination, we may reduce the number of persons to be nominated by the Governor or some such thing. I can understand that. In fact we want to encourage democratic methods. But it rather amuses me when I find Andhra members showing this extra kindness to us and that too on the eve of separation.

“In fact democracy has taught us a lesson. In such an advanced democratic country like the United Kingdom, what do we find? Of course I do admit that the House of Lords is constituted on altogether different lines from our Upper Chambers. But what is the purpose served by it? Can it be said that that is merely a waste? Can we say that it had not properly exercised its discretion in the discharge of its duties and that it had been continued only to please the whims of peers? What did the extremist Socialist Party say? What did the Labour Party say with regard to the continuance of the House of Lords? They never objected to its continuance. They never favoured even on one occasion its abolition. In fact the House of Lords is there to have a balanced legislation, avoiding the often hasty measures of legislation that springs from the tense atmosphere of the House of Commons. After all what are the powers of our Upper Chambers now? We have greatly reduced their power. People who are well aware of their influence after the passing of our Constitution know full well that its previous powers had been curtailed to a large extent. They have neither voting strength nor can they move amendments to any Money Bill. That power had been taken from their hands. The Upper Chambers, as they are constituted at present, are there as a revising Chamber. They are not there to duplicate our work. In fact, I may say, their continuance will be only to our advantage and not disadvantage.

“Let me not be mistaken as though I am favouring the retention of the Council in the residuary State of Madras for the sake of Rajaji. Eminent men like Rajaji need not have any back-door entrance. On any day and at any moment they can contest any seat in the Assembly and nothing short of success will attend their efforts. Rajaji has served in the past, he is serving and he will continue to serve the public irrespective of the fact whether he is inside or outside the legislature. I wish to ask in what way the Upper House has overridden the powers of the Lower House. May I know what are the instances when the Upper House has curtailed the powers of the Lower House. It may be contended that it has been superfluous fifty per cent and useful fifty per cent. But I say, the Opposition have much to gain by the existence of an Upper House for there will be more opportunities for presenting their view points to the country through the respective legislative bodies. It has done real service to the country and I would appeal to all hon. Members to consider this aspect of the matter,

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namely, that it affords a great privilege and opportunity to the Opposition which they should not lose and the country should not lose."

***SRI M. KALYANASUNDARAM :—**" கனம் சபாநாயகர் அவர்களே, இப்பொழுது மேல்சபை இருக்க வேண்டிய அவசியத்தைப்பற்றி சர்க்கார் கட்சியைச் சேர்ந்தவர்கள் பேசினார்கள். அப்படி நோடியாக மேல் சபை இருக்க வேண் றென்று பேசுவது தான் நேர்மையாக இருக்கும். ஆனால், அதற்குப் பதிலாக ஆந்திரர்கள் இருக்கும் போது நாம் ஏன் மேல் சபை சபைப்பற்றி பேசவேண்டும் ; நாம் பிரிந்த பிறகு மேல் சபையைப்பற்றி பேசிக் கொள்ளலாம் என்பது நேர்மைக்கு குறைவானது என்பது தான் என்னுடைய தாழ்மையான அபிப்பிராயம். ஏனென்று கேட்டால், சர்க்கார் கட்சியைச் சேர்ந்தவர்களுக்கு எப்படியும் மேல்சபை இருக்க வேண்டுமென்று இருக்கிறது. கொள்கை அடிப்படையில் இருந்தாலாவது ஒப்புக்கொள்ளலாம். இப்பொழுது பேசுவதையும், சர்க்கார் கட்சியைச் சேர்ந்தவர்கள் துரிதமாகச் சென்று வோட்டுகளைச் சேகரிக்க முயற்சி செய்யும் முறைகளையும் பார்க்கும்போது, என்ன சந்தேகம் வருகிறதென்றால், ஏற்கனவே இந்தச் சபையின் மூலம், நேரடியான தேர்தலில் நின்று வர விரும்பாத ஒருவரை முதல் மந்திரியாய் சமத்தியாகிவிட்டது. நிர்வீணைக்குப் பிறகு, தேர்தலில் தோற்கடிக்கப்பட்ட வேறு ஒருவரை முதல் மந்திரியாய் சமத்துவதற்காகவே மேல்சபை இருக்க வேண்டுமென்று சர்க்கார் கட்சியைச் சேர்ந்தவர்கள் விரும்புகின்றனர் என்ற சந்தேகம் ஊர்ஜிதமாகப் போகிறது. கம்யூனிஸ்ட் கட்சியைப் பொறுத்தமட்டில் நான் கம்யூனிஸ்ட் கட்சியின் சார்பில் தான் பேசுகிறேன். ராஜகோராலாச்சாரியார் இருக்கவேண்டுமா, இருக்க வேண்டாமா, அல்லது பக்தவத்சலம் வரவேண்டுமா வரக்கூடாதா என்பதல்ல பிரச்சனை. மேல்சபை இருக்கவேண்டுமா, அது அவசியமா என்று பார்த்தால், கம்யூனிஸ்ட் கட்சியைப் பொறுத்தமட்டில், மேல் சபையானது ஜனநாயகத்துக்கு விரோதமானது. மேல்சபை எப்படியும் இருக்கவேண்டுமென்பதற்காக நல்ல வார்த்தைகளைக் கொண்டு அது வர்ணிக்கப்பட்டிருக்கலாம். அறிவாளிகளையும், விசேஷ நிபுணர்களையும் கொண்டு வருவதற்காக மேல் சபை இருப்பது கச் சொல்லலாம். ஆனால், நம்முடைய அனுபவமானது ஜனநாயகத்திற்கு விரோதமாக, ஜனநாயக நம்பிக்கையற்றவர்களுக்குப் புகலிடமாக மேல்சபை உபயோகப்பட்டு வந்திருக்கிறது என்பது. அதே கொள்கை தொடர்ந்து நடக்குமோ என்ற சந்தேகம் எங்களுக்கு இருக்கிறது.

" ஒரு விஷயம். இந்தப்பிரச்சனையில் ஆந்திரர்கள், தமிழர்கள் என்ற பிரசாரத்தில் ஏமாந்துவிட வேண்டாமென்று சபையோர்களைக் கேட்டுக்கொள்ளுகிறேன். ஆந்திரர்கள் அல்லது தமிழர்கள் என்ற பிரச்சினைக் இதில் இடமில்லை. ஜனநாயகத்திற்கு மேல்சபை விரோதமா இல்லையா என்று தான் ஆலோசிக்கப்படவேண்டிய விஷயம். ஆனால், இந்த விஷயத்தில் ஆந்திர மக்கள், தமிழர்கள் என்ற வித்தியாசமின்றி எல்லோரும் கொள்கையின் அடிப்படையில் மேல்சபையை எதிர்த்து வோட்டு போட வேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய பேச்சை முடித்துக்கொள்ளுகின்றேன்."

*** SRI P. RAMAMURTHI :—**" Mr. Speaker, Sir, the hon. the Rajah of Chettinad was surprised at the turn of the discussion but I am not at all surprised at the trend of the hon. Member's speech. Unlike the Rajah of Chettinad, I have had the privilege of having been associated with the national movement for a long time and so, I know what the national movement itself thought about the existence of the Second Chamber. We know that in 1935, we had the Constitution under the Government of India Act, 1935. The Congress carried on a virulent campaign against that Act and there is a publication by the All-India Congress Committee regarding the Act and one of the points that had been made against that measure was that the constitution provided for Second

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Chambers in many of the provinces as well as in the Centre. The All-India Congress Committee always took the view that the existence of the Second Chamber was an anachronism and it was a deadweight on any kind of progressive legislation and they have been always utilized for this purpose; as experience has shown and as even the history of Great Britain has shown, the Upper Houses consist of reactionary and vested interests and in the name of moderation and in the name of not giving way to passion and heat, it has always been utilized as a deadweight on progressive legislation. Therefore, in 1935 the Congress took the view that Upper Chambers should be abolished not only in the States but also in the Centre and the Congress also took the view that there cannot be any system of indirect election. Indirect election is something which is abhorrent to our concept of democracy. That was the view of the Congress in 1935 and I quite remember that while in the general elections of 1937, we went round the country doing propaganda for the Congress, Pandit Jawaharlal Nehru went on addressing mammoth meetings in the country in which he said that the constitution as envisaged in the Government of India Act of 1935 should be broken and the main point that he made against that constitution was the creation of Upper Chambers, the citadel of reactionary elements and of vested interests in the country which would act as a deadweight against any form of progressive legislation. I am not at all surprised at the attitude of the Members on the other side; I am not surprised at all at the opposition of the Rajah of Chettinad because I know that the Rajah of Chettinad was in 1935 opposed to the opposition of the Congress to the creation of the Second Chambers; I am not at all surprised coming as he does from a class which has vested interests and has stakes and he was afraid that a popular House elected by the people of the country might rush in progressive legislation which might affect him and his class and the retention of Upper Chambers was absolutely essential for the purpose of preventing that and that is why he and his class opposed the proposition of the Congress. Today, Sir, things have changed and the Congress itself has shed its ideas and the Rajah of Chettinad and people of his like are inside the Congress. That unfortunately is the position for us today. Therefore, I am not at all surprised at the trend of this discussion today. While I am speaking on the motion, let me make it clear that I am not at all apologetic because it is a political question, a question whether what sort of legislature the country should have and what type of legislative chambers a State should have; that is a political question. Therefore, we are moved by political considerations and we need not be ashamed at the stand we take with reference to this particular matter. (The Hon. Sri C. Rajagopalachari: 'Some times has been spent over this question in the Constituent Assembly.') Sri Rajaji did spend some time and a number of hon. Members from the other side did spend some time on this question in the Constituent Assembly and it does not mean that what they thought at that time is always bound to be correct; it does not mean that what they did in 1950 and 1951 is always correct

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because they have gone back upon the promises that they made earlier for reasons best known to themselves. It does not mean that we are bound by their views but we have to express our views now. The question has been raised whether there is not a Second Chamber in the Soviet Union. Before that question is answered and it is mentioned as an analogy, let us understand what exactly is the position there. In Russia there are a number of nationalities; there is the Great Russian nationality with a population of 8 crores and there are also small nationalities with a population of barely 2 millions like the Azerbaijan nationality because there are different States and it is a Federal Republic. It has been there in order to ensure the implementation of two basic principles, namely, the equality of man and equality of nationality. Each individual will have the equal right to vote and each nationality whether it is a nationality of 8 crores of people like the Great Russians or a small nationality of 2 millions like the Azerbaijanians will have equal representation in the Second Chamber so that each of these nationalities feel confident that no majority nationality will be able to oppress or exploit them. They both have got equal powers. There is no question of having legislative powers only for the one House. The House of People and the House of Nationalities have equal powers. That is an entirely different question. We are not dealing with that question now. When the question of the American Constitution is raised, I would ask the hon. Members 'Take the 52 American States. Is there a single American State where there is a bi-cameral legislature? Do not talk of the Federal Constitution wherein they have provided for two Chambers. The question with which we are now concerned is whether there should be a bi-cameral Legislature for the States and I submit that those members who are trying to draw the analogy from the American Constituent or some other constitution do not realize that those States do not have the Second Chamber there. Now let us come to the question of practical politics. During the year 1937 also there was a Council. For the last one and a half years there has been a Council. What earthly purpose is this Council serving? Some hasty legislation might be passed; some hasty decisions might be taken by the Legislative Assembly and the Council might interfere and ask us to reconsider that legislation. I would ask 'Show me one instance in which this Council has interfered.' Leave alone the question that the Council has not acted. Why should persons, who are not the real representatives of the people, step in? Let us be very clear about it. People who are elected indirectly have no direct touch with the common people. They are not answerable to the electorate. Nobody bothers about them. They need not go to the electorate and tell them what they have done. That an unnecessary set of people, who are not answerable to anybody, should interfere or even have the right to suggest to a House consisting of the elected representatives of the people that they should reconsider a question is an intolerable position. I submit that this is not a position which is in consonance with the principles of democracy. We do not want them. It is said that

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there are eminent scientists and eminent artistes. Very good. But we are dealing with the question of politics. If we are to decide inside this Legislature the question of what form of music is best suited to the Tamil people or the Andhra people, or whether a particular *raga* is good or not. Then there must be some musicians. We are not concerned here with music. If we are reduced to a music academy or an art academy or a dance academy, then things would be entirely different. Even take the question of Scientists. How many Scientists are there who take an active interest in political affairs? There are hundreds of Scientists who shut themselves completely from day-to-day human affairs. They do not understand to develop the human aspect. They think of science in isolation. They know their laboratories and their theories of science. How can those people, for example, interfere when dealing with questions affecting human affairs? On the other hand, if there are scientists, if there are artistes who take interest also in political and social affairs, then obviously they will be elected by the people. Therefore, the argument that simply to provide for certain class of persons to be nominated by the Governor there must be a Council seems to me to be quite unreasonable.

“ Now, let us see what purpose this House is serving. It has served only one purpose, namely, the purpose of political manoeuvre by the party which is in power—may not be in power at the moment—but the overall power it might wield at the Centre enables that party to manoeuvre through the Councils to retain its hold in the various States. This might be one of the purposes. Why should we allow a body who have not been elected by the people of this country and who do not speak in the name of the people to represent the people just for the luxury of the ruling power being enabled to manoeuvre to enter into subterfuges for the purpose of defeating the verdict of the people? I am not bothered whether the Congress party does it or whether any other party does it. All I am concerned is that we should remove that particular body or that particular machinery which indulges in this kind of subterfuges. There is no earthly use and it is a costly affair too. Our own work suffers. That time may be utilised to our best advantage. We, the representatives of the people of this country, do not get opportunities to put forth all the grievances of the people on the floor of the House. There are hundreds of things which the people want us to raise on the floor of the House for being discussed so that we may be able to influence the views of the Government or to formulate policies on all these questions. We do not get the opportunity because the Council has also to sit. Instead of that, if the time that is wasted in the Council is utilized by the Assembly, then hundreds of questions of public and extreme importance could be usefully discussed and the Government will be able to understand what exactly the feelings of the common people are on those questions. I therefore support the amendment of Sri Kalyanasundaram and oppose the amendment which says that there should be a Council for the Andhra State.”

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* THE HON. SRI C. SUBRAMANIAM :—“ Mr. Speaker, Sir, on the question of the retention of the Council in the residuary State of Madras I want the hon. Members to come to decisions apart from personalities. The determining factor should not be that Rajaji happens to be in the Council or that Prakasam has now ceased to be in the Council. That should not be the argument either for the retention of the Council or for its abolition. Therefore, let us take an impersonal view of the question and find out whether we should support this amendment moved by Sri Kalyanasundaram or not. In the first place, a sweeping statement was made by Sri Kalyanasundaram that the Second Chamber by itself is an undemocratic one. I am not prepared to accept that statement. With a Second Chamber a Constitution may be democratic. With a Single Chamber a Constitution may be totalitarian. The existence of a Second Chamber has absolutely nothing to do with the democratic basis or undemocratic basis. We should not confuse the issue by thinking that the Second Chamber by itself is undemocratic. On the necessity or otherwise for having a Second Chamber, volumes have been written by constitutional pandits and professors of politics. Some people have argued that a Second Chamber serves a very good purpose, and some people have said that it is a hindrance. Opinion on the point is divided and the view of every one depends upon his political complexion. Very good arguments can be advanced for the retention or abolition of the Second Chamber. The Leader of the Opposition said that there was no use of the Second Chamber, that it should not criticize the view of the elected representatives in the Assembly, that it merely wasted time and did not produce even one good result. I am not at all surprised at the way in which he argued, knowing as I do, his political ideas and creed. What does the minority in this Assembly do? It does not carry through any proposition, because there is the majority on the other side. It has got the right to argue and hinder the progress of business. When Sri P. Ramamurti comes to power, he would not tolerate any opposition or hindrance to the programme of the majority party, and therefore the minority opposition would be completely liquidated! It is only a reflection of this idea that we find in his argument that the Second Chamber only hindered all progress and did nothing more than that. He holds the creed that when his party gets a majority and wields power, all opposition should be wiped out. He takes the Assembly as the unit wherein he operates and says that nobody else should have the right to criticize or point out the mistakes that the Members of the Assembly might commit.

“ If, in the course of the last one year and a half, the Legislative Council of this State has had no occasion to disagree with any of the measures passed in this Assembly, it is because of the peculiar situation obtaining here. The Chief Minister, who is the Leader of the House in the Council, happens to be in this House also in his capacity as Chief Minister. Whatever view he has, he puts it before this House and carries it through. Therefore

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when he goes before the Council there is no disagreement. There is no guarantee that the same state of affairs will continue for ever. Therefore the fact that the Council had not disagreed with any of the measures passed by this Assembly during the last year and a half should not be adduced as an argument against the retention of the Legislative Council. Previous to 1952, there have been occasions when the Council sent back Bills to the Assembly suggesting very good amendments, and such amendments have been accepted in the Assembly. Therefore I respectfully submit that we should not judge by what has happened in the course of the last year and a half.

'The next argument put forward by the Leader of the Opposition was that the Congress Party itself was once of the opinion that there should be only one chamber and that my hon. Friend Raja Muthiah Chettiyar of Chettinad, who was then opposed to the Congress, was now supporting the Second Chamber. In the Constituent Assembly, the Congress Party had a majority and it could have carried the proposition that there should be only one chamber. But after careful consideration, a provision had been made for the retention of the Upper Chamber in certain States. It is not as if they have made this provision a permanent one binding for ever; they have also made provision for abolition of the Upper Chamber. Therefore, it is not right to argue that the Congress held the view in 1936 or so that there should be only one chamber and that the Congress Members are not entitled to go back on that view. Provision has been made in the Constitution for such a revision. Therefore it need not be assumed that the Congressmen who are voting for the retention of the Second Chamber are voting for an anti-democratic measure or voting for a thing which is opposed to the Congress creed.

'I respectfully submit another point for consideration. There is a provision in the Bill for the retention of the Legislative Council in the residuary State, and this House is no doubt entitled to express its opinion on it. On that ground, the amendment suggesting the abolition of the Council may be considered to be in order. But there are provisions in the Constitution itself providing for the creation or abolition of the Legislative Council. The relevant articles are as follows:—

' 168. (1) For every State, there shall be a Legislature which shall consist of the Governor, and

(a) in the States of Bihar, Bombay Madras, Punjab, Uttar Pradesh and West Bengal, two Houses;

(b) in other States, one House.

169. (1) Notwithstanding anything in article 168, Parliament may by law provide for the abolition of the Legislative Council of a State having such a Council or for the creation of such a Council in a State having no such Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting.'

So far as the Madras State is concerned, it is a continuing entity though a portion of its territories is transferred to another State

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and another portion is carved out into a separate State. There is no question of dismemberment of the State. If the Legislative Council of Madras is to be abolished, action can be taken only under Article 169 (1). Articles 3 and 4, under which this Bill is brought forward, are not the appropriate articles under which action could be taken for the abolition of the Legislative Council. Article 4 (1) reads :

'Any law referred to in article 2 or article 3 shall contain such provisions for the amendment of the First Schedule and the Fourth Schedule as may be necessary to give effect to the provisions of the law and may also contain such supplemental, incidental and consequential provisions (including provisions as to representation in Parliament and in the Legislature or Legislatures of the State affected by such law) as Parliament may deem necessary.'

The abolition of the Legislative Council cannot be said to be supplemental or incidental to or consequential upon the transfer of certain territories of the State to some other State and carving out some portions into a separate State. Therefore I submit that the expression of our opinion in this matter on this Bill is not quite relevant. Parliament can take action for the abolition of the Legislative Council only if action is taken under article 169 (1), and under no other circumstances. Therefore no useful purpose will be served by accepting or rejecting Mr. Kalyanasundaram's amendment. The opinion expressed will be infructuous. The Madras State is going to be divided. I respectfully ask Mr. Kalyanasundaram whether we cannot consider the retention or abolition of the Legislative Council for the Residuary Madras State after the partition. If action is taken for the abolition of the Council under article 169 (1) even now by this House, it will be quite in order. But to try to move for achieving that object in a Bill under article 4 will be quite out of order. Taking this view, I respectfully submit, and I still appeal to Mr. Kalyanasundaram and the Leader of the Opposition to consider this aspect apart from political considerations. On political considerations Mr. Kalyanasundaram may wish to press his amendment. Apart from the constitutional point of view and the legal point of view, from the propriety point of view, it is better that he abstains from pressing this amendment. He (Mr. Ramamurthi) has very strongly expressed his opinion, and that expression of his opinion has served the purpose. He stands by his creed. He does not brook any opposition to this Chamber from the Upper House. He does not want any opposition. Having unequivocally expressed his opinion, I ask, Sir, is it necessary to press this amendment. If he wants to gain a political point, it is open to him to do so. Mr. Viswanatham, who is a lawyer himself, may consider this aspect of the matter. It is not as if we do not want our Andhra Members to guide and advise us so that we may prosper and progress. Taking this into consideration, Members on this side thought that it should be left to the Residuary State to decide whether it should have a second chamber or not. Another objection was taken in regard to the composition. Mr. Viswanatham and Mr. Ramamurthi were arguing that the composition of the second chamber was not good. Their opinion

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may be correct or may not be correct. Upper Chambers have been put in there only as an experimental measure. Provision is made under Article 171 for changing the composition of the House. If the Opposition Members think that the present composition is not good, but the composition existing in Russia (in that Heaven on earth) is good for us, we are prepared to take that also. Parliament can consider that under article 171. Article 171 (2) says: 'Until Parliament by law otherwise provides, the composition of the Legislative Council of a State shall be as provided in clause (3)'. It is not as if the composition of the Council cannot be changed. Until it is changed, the composition should continue to be the same. It is open to us to make a suggestion to Parliament to see that our Legislative Councils are based on such and such principles, and that they should be on Russian model or British model, or purely on the model to be suggested by the Leader of the Opposition. The Leader of the Opposition may suggest a new composition for the Council. Simply because of the present composition of the Council, we need not oppose retention of the Upper Chamber. Considering all these things, I appeal to the House, if Mr. Kalyanasundaram chooses to press his amendment, to reject and throw out his amendment.

"With reference to particular persons, who have been knocked out according to Mr. Viswanatham, I respectfully submit that representations have been received, and it has been brought to the notice of the Government that certain mistakes have been committed by omitting certain persons. Long before the amendments were placed before the House, representations have been received by Government. The Government have already taken action. We have written to the Government of India also to examine and rectify the mistakes, if any. But in regard to Mr. Gopala Menon's amendment that all the Members elected by the Assembly should continue to remain in the Upper Chamber here . . . (Interruption.) This was in a way supported by Mr. Viswanatham also. (Interruption.) Twenty-four members were elected by the Assembly irrespective of their domicile and irrespective of the fact whether they belonged to the Residuary State or Andhra State. I respectfully submit that there will be a conflict with the provisions in the Constitution itself—not a conflict of interests. Because the qualification to be a Member of the Upper Chamber is that one should be a resident of, and a voter in, the Residuary State. Otherwise, one cannot be a Member of the Council. So, it would not be constitutional to say that simply because one has been elected by the Assembly (irrespective of the place of one's residence), one should continue to be a Member of the Legislative Council of the Residuary State. (Interruption.) If he continues to be there, he cannot continue to be a Member elsewhere. So, considering this disqualification, and also the fact that the valuable services of Andhras will be required in the Andhra State, I say that we should not deprive the Andhra State of the services of these eminent people, who are now in the Council. They may get into the Assembly or they may otherwise assist the Andhra Government. The Andhra

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Government should not be deprived of these people and their advice. (Interruption.) Andhra is full of leaders. There is no dearth of leaders there. I think everybody is a leader there. It is not as if there will be a dearth of leaders in Andhra if some leaders remain here. That I know. But still I do not want that we should deprive the Andhra State of the services which these people are likely to render. Rightly their services should be at the disposal of that State. As far as the people who are domiciled here, who are resident here, and who are qualified to be here, are concerned, certainly their cases are being examined. It is not the case of two Members or three Members. There are some others also. I can assure hon. Members that we have already taken action in this matter. It is not as if we want to send away those who are entitled to remain here. All those who are entitled to remain here because of their domicile in the Madras State, will be retained, and there is no question of their being sent away. I wish to bring one instance to the notice of the House. Mr. Bhaskararao Naidu is a voter in the City. Automatically, he should represent the Residuary Madras State in the Council of States. But he has written 'no; I would not like to represent the Residuary State; I would like to represent the Andhra State'. So, it is not as if everybody is willing to remain here. This aspect has also to be taken into consideration. Considering all these, we will take proper action to see that those who are willing to remain here and those who are entitled and are eligible under the rules to remain here, do remain here. There is no question of their being sent away. We shall be just. I would point out that Mr. Viswanatham's amendment is unnecessary, as action has already been taken."

* SRI P. RAMAMURTHI :—" Sir, the Leader of the House has made an appeal to me. The very fact that the Leader of the House makes an appeal to me shows clearly that he does not believe in what he says. He said that I had a creed which did not brook any opposition. The very fact that he has got an opposite view and makes an appeal to me shows that he expects me to listen to reason, if there is any. Therefore there is no question of listening to the opposition. The second question is that he has raised constitutional difficulties. (Interruption.) I would like to say that the expression of opinion of this House is valued very much. Therefore I would like to press the amendment."

MR. SPEAKER :—" I will now put the amendment of Sri Kalyanasundaram (No. 65) to vote. The question is—

' 65. This House recommends to the Parliament of India that clauses 19, 20 and 21 of the Andhra State Bill, 1953, be deleted and a simple section substituted which will provide for the abolition of the Legislative Council in both the Madras and Andhra States.' "

The amendment was put and declared lost.

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A poll was demanded and the House divided thus:—

Ayes 92.

- | | |
|---|------------------------------|
| Sri G. Anjaneyulu. | Sri N. K. Palanisami. |
| " K. Bapanna Dora. | " T. Potha Raju. |
| " G. Bapanayya. | " C. Prabakara Choudry. |
| " Chandra Ramalingaiah. | " T. Prakasam. |
| " V. Chidanandam. | " C. Pulla Reddi. |
| " D. Dasarathan. | " K. Rajagopala Rao. |
| " P. V. R. Gajapathi Raju (Raja of Vizianagaram). | " K. T. Raju. |
| " T. Ganapathy. | " N. Ramabhadra Raju. |
| " Gopalakrishnaiah, Vavilala. | " P. S. Ramachandra Rao. |
| " P. K. Gopalakrishnan. | " B. Ramakrishna Reddi. |
| " K. P. Gopalan. | " S. Ramalingam. |
| " K. C. Gopalan Unni. | " P. Ramamurthi. |
| " K. Govinda Rao. | " G. Rama Rao. |
| " M. Hanumantha Rao. | " P. Rama Rao. |
| " P. Jeevanandam. | " V. Rama Rao. |
| " G. Joseph. | " K. Ramaiah. |
| " M. Kalyanasundram. | " K. Ramaiah Choudary. |
| " C. Kandasami. | " K. Ranga Rao. |
| " C. H. Kanaran. | " B. Sankarayya. |
| " S. Kasireddy. | " G. Satyanarayana. |
| " G. C. Kondayya. | " D. Seetharamiah. |
| " P. Kotaiah. | " T. Shanmugam. |
| " R. Krishnan. | " R. Siddanna Gowd. |
| " K. Krishna Rao. | " N. Sivaram. |
| " M. Kune Rao. | " N. Sivarami Reddi. |
| " E. T. Kunhan. | " K. T. Sridharan. |
| " P. Kunhirama Kidav. | " V. Sri Krishna. |
| " C. Kunhirama Kurup. | " B. Subba Raju. |
| " T. Lakshminarayana Reddi. | " K. Subba Reddi. |
| " M. Lakshmanaswamy. | " A. K. Subbiah. |
| " D. Lakshmayya. | " P. Suryachandra Rao. |
| " B. Lakshminarasa Raju. | " S. Swayamprakasam. |
| " V. Madanagopal. | " P. Shyamsundar Rao. |
| " K. Madavan Nambiar. | " Vadivelu. |
| " K. Malakondayya. | " M. Veerabhadram. |
| Dr. K. B. Menon. | " K. Venkaiah. |
| Sri G. Nageshwara Rao. | " C. Venkatakrishna Rao. |
| " T. Nagi Reddi. | " R. Venkata Jagga Rao. |
| " N. V. L. Narasimha Rao. | " K. Venkata Kurmi Nayudu. |
| " P. Narasimha Reddi. | " Venkata Rao, Saka. |
| " T. C. Narayana Nambiar. | " P. Venkatasiviah. |
| " M. Narayanasamy. | " M. Venkatasubba Reddi. |
| " S. Pakkirisami Pillai. | " P. Venkatesha Sholagar. |
| " K. V. S. Padmanabha Raju. | " Pillalamaru Venkateswarlu. |
| " M. K. Padmaprabha Gounder. | " T. Viswanathan. |
| " M. Palaniandi. | " G. Yellamanda Reddi. |

Noes 122.

- | | | |
|----------------------------|--------------------------------------|------|
| Sri C. Ahmed Kutty. | Sri N. Chenchurama Naidu. | 1-20 |
| " Aiyyanar. | " S. Chinnakaruppa Thevar. | p.m. |
| " L. Anandan. | " V. S. Chinnasami Naidu. | |
| " T. Anantha Pai. | " Chinnathambi Thevar. | |
| " Anthony Peter. | " AR. A. RM. Chokkalingsam Chettiar. | |
| " Ardhanareswara Gounder. | " V. Dharmalinga Nayakar. | |
| " R. S. Arumugam. | " T. P. Elumalai. | |
| " S. Arumugam. | " W. J. Fernandez. | |
| " S. R. Arumugam. | " K. Gajapathi Reddy. | |
| " V. Arumugam. | " G. Govinden. | |
| " V. Balakrishnan. | " K. Ishwara. | |
| " B. Bhakthavatsalu Naidu. | " H. M. Jagannatham. | |
| " K. H. Bomman. | " M. Jagannathan. | |
| " M. Chadayan. | " P. Kandasamy Gounder. | |
| " S. Chellapandian. | " M. Kandasamy Padayachi. | |
| " P. Chellathurai. | " V. K. Kannan. | |

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Noes 122—cont.

- Sri P. G. Karuthiruman.
 „ M. K. Kempai Gounder.
 „ K. T. Kosalram.
 „ K. Kotra Basavana Goud.
 The Hon. Dr. U. Krishna Rao.
 Sri P. S. Krishnasamy Ayyangar.
 „ V. Krishnasamy Padayachi.
 „ R. Krishnaswami Naidu.
 „ Kunhi Mohamed Shafee.
 „ R. Kuppuswamy.
 The Hon. Sri K. P. Kuttikrishnan Nair.
 Sri S. Lakshmana Gounder.
 „ N. Mahalingam.
 „ M. Manickasundaram.
 The Hon. Sri M. A. Manickavelu Naicker.
 Sri P. G. Manickam.
 „ Y. Manjaya Shetty.
 „ M. Marimuthu.
 „ A. K. Masilamani Chettiar.
 „ N. Mounagurnswamy Naidu.
 „ M. S. Munisami Pillay.
 „ P. M. Munuswamy Gounder.
 „ Ch. S. R. V. P. Murthy Raju.
 „ Raja M. A. Muthiah Chettiar.
 „ C. Muthiah Pillai.
 „ V. Muthu.
 „ M. C. Muthukumaraswamy.
 „ B. R. M. Muthu Thevar.
 The Hon. Dr. E. Nagan Gouda.
 Sri P. S. Nalla Gounder.
 „ B. K. Nallasamy.
 „ G. Narayanasamy Naidu.
 The Hon. Sri V. C. Palanisami Gounder.
 Sri V. K. Palanisamy Gounder.
 „ S. Panchaksharam.
 „ R. S. K. Pandian.
 „ K. Parthasarathi.
 „ N. Paramasivam.
 „ B. Parameswaran.
 „ S. Parameswarappa.
 „ M. P. Periasami.
 „ P. B. K. Rajaohidambaram.
 „ C. Rajam Ramasami.
 „ K. Rajaram.
 „ T. K. Rama.
 „ M. R. Ramachandran.
 Sri A. Ramachandra Reddier.
 „ N. Ramakrishna Ayyar.
 „ N. C. Ramasamy Kander.
 „ V. K. Ramasamy Mudaliar.
 „ A. Ramasamy Thevar.
 „ A. Rami Reddi.
 „ P. S. Rangasamy Naidu.
 „ P. Rangasamy Reddier.
 „ N. Rathina Gounder.
 „ A. M. Sambandam.
 „ G. Samia Koorayar.
 The Hon. Sri N. Sankara Reddi.
 Sri T. V. Sannasi.
 „ K. M. Seethi.
 „ A. Senapathy Gounder.
 „ M. G. Shanker.
 The Hon. Sri Shanmuga Rajeswara Sethupathi (Raja of Ramnad).
 „ A. B. Suetty.
 Sri Sirasappa, Ijari.
 „ V. S. Sivaprakasam.
 „ Soma-sundara Gounder.
 „ S. N. Somayajulu.
 Dr. T. S. Soundaram Ramachandran.
 The Hon. Sri C. Subramaniam.
 Sri M. P. Subramaniam.
 „ I. K. Subramania Pillai.
 „ R. Thangavelu.
 „ P. Thangavelu.
 „ Thiagaraja Pillai.
 „ S. Thinakarasami Thevar.
 „ P. K. Thirumurthi.
 „ K. Uppi.
 „ P. Urkavalan.
 „ G. Vagheesam Pillai.
 „ B. Vaikunta Baliga.
 „ Vaikuntam.
 „ T. R. Varadan.
 „ A. Veloo.
 „ K. V. Vema Reddy.
 „ O. Venkatasubba Reddi.
 „ S. Venkatrama Ayyar.
 „ Venugopalakrishnasamy.
 „ K. Vinayakam.
 „ S. C. Virupakshiah.

Neutral 3.

1-30 p.m. Sri A. Venkatramiah.
 „ G. Latchanna.

Sri P. Pundarikakshacharyulu.

Ayes 92; Noes 122; Neutral 3.

The amendment was lost.

The amendments^a of Sri M. Kalyanasundaram (Nos. 66 and 70), Sri N. K. Palaniswami (No. 67) and Sri Vavilala Gopalakrishnaiah (No. 68) were, by leave, withdrawn.

MR. SPEAKER :—“ As for amendments Nos. 71 and 72, I think amendment No. 72 is more comprehensive and it reads as follows :—

‘ 72. This House resolves that there shall be a Legislative Council for the Andhra State consisting of not less than forty seats of which the sitting Members

^a For amendments, vide pages 718-719, 722 and 728 supra.

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[Mr. Speaker]

of the Madras State Legislative Council representing the Andhra area therein and such further or other members to make up the said number by election by the Andhra Legislative Assembly and by nomination by the Governor of the Andhra State under such directions as the President may make in this behalf.

As this amendment is a more comprehensive amendment, I think it is better if I put it first to the vote of the House. If that is the desire of the House also, I shall do so. Anyway, I wish to know what the Hon. Leader of the House wishes to say in the matter."

THE HON. SRI C. SUBRAMANIAM :—"Any one of the amendments may be put to vote, Sir. But as amendment No. 71 comes up first and as amendment No. 72 goes into further details, I think it will be better if amendment No. 71 is put to vote first."

SRI P. RAMAMURTHI :—"Any one of the amendments may be put to vote first, Sir. It is immaterial to us which is put first."

The amendment of Sri B. Krishnamurthi Rao (No. 71) was then put and lost.

The amendment of Sri P. Venkataswami Reddi (No. 72) was, by leave, withdrawn.

As hon. Member Sri N. Gopala Menon was not in his place, his amendment (No. 73) was deemed to have been withdrawn.

Amendments Nos. 172 and 173 standing in the names of Sri T. Viswanatham and Sri Vavilala Gopalakrishnaiah respectively were withdrawn with the permission of the House.

MR. SPEAKER :—"Shall we sit for some more time or adjourn now?"

THE HON. SRI C. SUBRAMANIAM :—"It is already 1-35, Sir. We may adjourn now."

MR. SPEAKER :—"I adjourn the House till 8-30 a.m. to-morrow."

The House then adjourned.

